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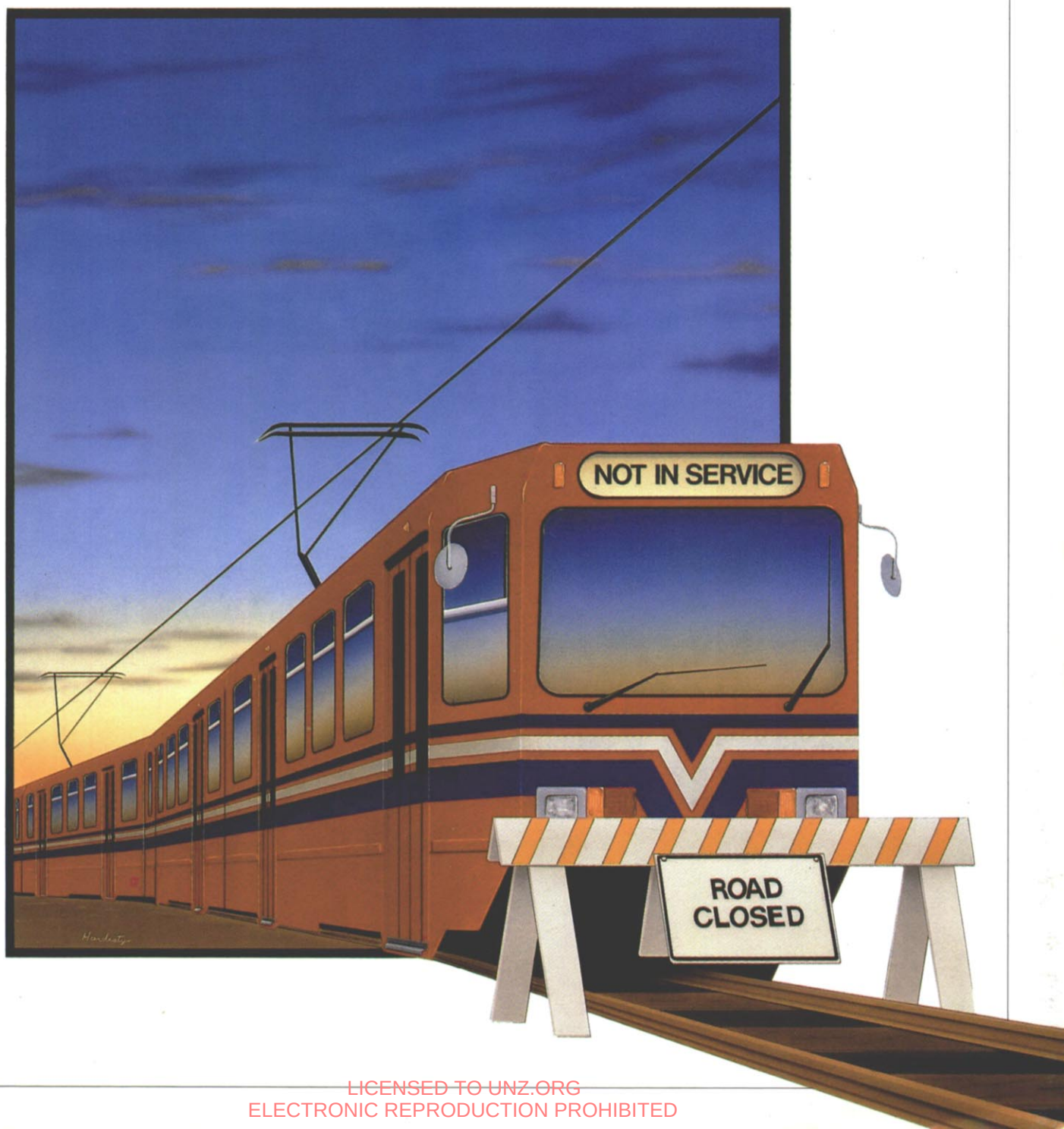

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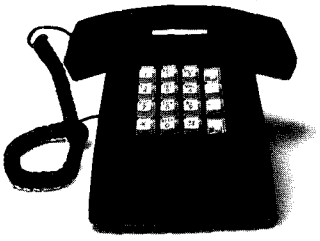

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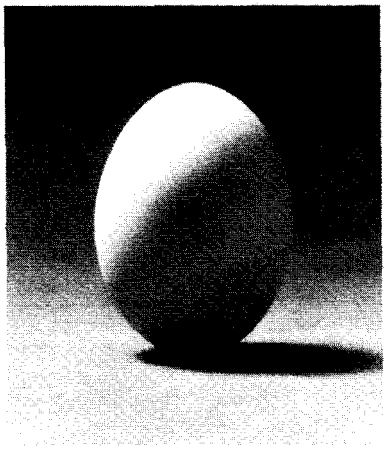

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UP FRONT

George Deukmejian's Supreme Court dealt its benefactor a cruel political blow with its unanimous decision refusing to certify Dan Lungren as the new state treasurer. But the Court boosted its own reputation for independence when it ruled, contrary to what the governor said, that disapproval by one house of the Legislature was enough to kill a governor's appointment to fill a vacancy in a constitutional office. Lungren failed by one vote to win approval from the Senate when President pro Tem David Roberti out-foxed Deukmejian and stole away the vote of San Francisco independent Quentin Kopp. All-in-all, things may not turn out so badly for Lungren who, on the day of the Court ruling, was greeted by a banner that read, "Lungren for A.G." He now has more name identification in the state than most congressmen. Deukmejian must come up with another pick for treasurer. Has he learned anything from the defeat? Will he now consult with Legislative leaders before making a choice? His chief of staff, Michael Frost, says that some Republicans, at least, will be given a chance to have a say.

Senate Democrats, who worked hard to defeat Lungren, received the news of his defeat before the Supreme Court with the aplomb and dignity we've come to expect from the California Legislature: At least one Democratic senator rushed into the Assembly chambers and performed what observers described as a "victory lap" while slapping high-fives with Assembly Dems. Haven't you heard, senators? High-fives are out. The forearm bash is in.

L' etat, c'est moi. Governor George Deukmejian is still having a tough time explaining why he wanted to increase state revenues to balance the budget and then backed off from the proposal after some people called it a tax increase. His chief of staff, Michael Frost, insists, even now, that it was a good proposal, but when people started saying it was a tax increase, something went wrong, and the policy turned bad — sort of like grapes that are supposed to become wine but turn into vinegar, we suppose. In any case, in the end, according to Frost, the budget-balancing plan "didn't fit with the kind of image we want California to have, so we withdrew it." But wasn't the governor really worried more about his own image as a non-tax governor? Frost's response: "Frankly, I don't think there is any difference between George Deukmejian being viewed as raising taxes and California being viewed as raising taxes."

More of that Deukmejian humor. Here is the complete comment put out by Governor George Deukmejian's press office after the Los Angeles Lakers became NBA world champs for the second year in a row: "Coach Pat Riley and the Los Angeles Lakers have once again confirmed that California is a state of Champions. Through their Magical play, the Lakers proved they were Worthy of repeating as World Champions. I'm certain the rest of the NBA is Green with envy. They certainly are the Kareem of the crop." Great Scott! The governor's punsters apparently forgot Byron, the Lakers' top scorer during the regular season. And we hate to think of what they might have done had they remembered Kurt Rambis.

It's enough to make March Fong Eu get her sledgehammer out of mothballs. The *Cal-Tax News*, the newsletter of the California Taxpayers' Association, reports that the city of Marksville, Louisiana, has a steady source of income for its sewer fund: a tax on toilets. Residents are charged $3 per year for each toilet. That fee has kept the sewer program awash with cash while cutbacks in state and federal money has resulted in city officials "having trouble keeping our head above water," when it comes to financing the regular city budget, the newsletter quotes the city's secretary-treasurer as saying. As a new revenue source, this one has us flush with excitement.

"Let's rock n' roll." With those immortal words, Assembly Speaker pro Tem Mike Roos donned his shades, strapped on his prop guitar and started belting out the Beatles' tune, "Get Back." It happened at the pre-recess Summer Fest barbeque held on the Capitol lawn. While staffers danced and lobbyists schmoozed, Roos sang a whole Beatles set, including the crowd-pleaser "Twist and Shout." Witnesses claim the Los Angeles Democrat wasn't half bad. Next year, we hear they're going to try to get the governor on the bill doing his Barry Manilow imitation.

(Max Boot, Sacramento)

Trenchant analysis department. We provide, verbatim, the relevant portion of an Assembly Republican review of a measure that would require large employers (more than 100 employees) to make child-care facilities available. The analysis was written by Jim Bald for AB 4039, a bill by Democratic Assemblyman Tom Hayden of Santa Monica:

"Liberals of the Volvo/Chablis set are constantly returning to child care as a problem they want to solve, because their career-oriented women don't want to stay home with the kids. It's boooooring."

The analysis goes on to say that women who "work because they *have to* seem to always find a place to drop off the kids in the morning and pick them up in the afternoon."

A spokesman for Assembly Republicans said the analysis was for internal use by caucus members only and that some of the consultants were "more colorful" than others. And, hey, can't those liberals take a joke, anyway?

Tan oak II. Last month we reported on the saga of a tan oak conference table, commissioned by the state Department of Commerce, that had to be hauled through a sixth floor window to install it in the department's suite of offices in Sacramento. Comes now a note from Al Gianini, director of Commerce's Office of Local Development. Seems the table made its entrance through his window. Gianini returned from out of town to find this memo:

"While you were out: Your window was scratched while being removed: and all your furniture and belongings were thrown out in the hallway: and then while the big table was being pulled through your window, they broke the water main above your window and black liquid goo came spew-

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ing into your glassless window: then the fire alarm went off and the building was evacuated — except for a few of us along with the fireman who showed up on the sirened engines .... They climbed a hook and ladder outside your window to shut off the water main, but it took quite a while, resulting in a pretty soaked carpet. When all was well, every person in the department came to mourn your catastrophe — we were going to charge a buck a head, but there were too many by that time to keep track of. But it's o.k. now because the firemen and building maintenance guys came in with heavy machinery to vacuum up the water .... How was Santa Barbara, anyway???"

We're going to have to live with it. It turns out the *California Journal* was wrong last month when we said Republican Assemblyman Tim Leslie's Democrat c opponent, John Byouk, got "nearly 10,000 more primary votes" than Leslie. But it wasn't our fault. The Secretary of State's office incorrectly reported the returns in its semi-official, but complete canvas. A glitch, they said, added some 7000 votes to Byouk's total. For the record, the final tally, according to county officials in Sacramento and Placer counties, was Leslie, 39,625; Byouk, 41,064, or a difference of 1439 votes in Byouk's favor. There were no other glitches, promises the Secretary of State.

Come across a blurb lately that's nosy, newsy or smart-alecky about California government, politics or politicians? Share it with the Journal. *We pay up to $25 for entertaining tidbits published in "Up Front." so rush your items to Up Front, 1714 Capitol Avenue, Sacramento, CA 95814. Sorry, submissions cannot be returned.*

"Sometimes [racial prejudice] is like a hair across your cheek. You can't see it, you can't find it with your fingers, but you keep brushing at it because the feel of it is irritating."
— Marian Anderson

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"The forecasters tell us that by the year 2000 we will be sharing the road with an additional six million cars daily," Governor George Deukmejian warned Californians during his State of the State speech in January 1988.

Jerry Brown, Deukmejian's predecessor, was given a similar prognostication by his transportation experts in 1975 and sought, during his eight-year tenure, to stem the increase by forcing people out of their cars and into buses and trains. Brown placed his administration's transportation emphasis on mass transit and, with few exceptions, jerked the state's freeway building program to a halt. The state's 15 transit districts now carry 15 million passengers per year, and that total is increasing, according to John Stevens, chief consultant to the Assembly Transportation Committee.

But critics now question whether the districts will be able to keep up with the need and demand for transit because of what they say is the low priority given it by the Deukmejian administration.

Deukmejian promised in his very first State of the State speech, in 1983, that the transportation priorities of the Brown administration would be changed. His approach to the state's increasing problems of traffic congestion, he said, included shifting "the emphasis from exotic alternative transportation schemes over to the proven priorities of safe, well-maintained and efficient highways."

Five years later, observers are wondering if the governor

Bob Schmidt is Capitol bureau chief for the Long Beach Press-Telegram.

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Is the Duke derailing mass transit?

By Bob Schmidt

has allowed the pendulum to swing too far to the other side, with mass transit playing, at most, a minimal role in the state's response to the threat of gridlock.

After warning in his January 1988 speech of the anticipated massive increase in the number of vehicles in the state, for instance, Deukmejian's next five paragraphs emphasized the need "to replace high-tension highways with high-tech highways ... to improve the flow of traffic."

There was no mention of mass transit, of trains or buses.

The governor's State of the State speeches in 1987 and 1986 each mentioned highway construction funding but omitted any reference to mass transit. In his 1985 address, he said the current fiscal year would be distinguished as the "biggest single year of state highway construction commitments in our history."

Again, there was no mention of mass transit. Nor was there in 1984, or in 1983, except for the oblique reference to "exotic alternative transportation schemes." Proposition 74, the defeated Deukmejian proposal to raise $1 billion for transportation by selling bonds, illustrates the low priority the governor has given to mass transit, says Ed Gerber of the California Transit Association. The bulk of the $1 billion would have been earmarked for highway construction and maintenance, Gerber pointed out.

"Thirty percent, $300 million, would have been available to local governments to use as they wished, including for mass transit. Given the massive street and road maintenance needs faced by most local governments, just how much of that $300 million would have actually been used for transit?" Gerber asked. "The administration is preoccupied with its re-

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sponsibility as the operator of the highway system, and I understand that. But the history of this administration shows a diminishing degree of support for mass transit, and the numbers are right there in the budget to illustrate that."

Figures provided by the office of Robert K. Best, named by Deukmejian in February to be director of the California Department of Transportation (Caltrans), support Gerber's point. Deukmejian's first budget, for 1983-84, made $286 million — 14 percent of the entire Caltrans budget — available for the various mass-transportation programs supported by the state.

Those figures went down to $208 million — 8 percent of the total — in 1984-85; to $206 million — also 8 percent of the total — in 1985-86; to $205 million — 8 percent of the total — in 1986-87; and to $199 million — 6 percent of the total — in 1987-88.

For 1988-89 the governor proposed an increase to $207 million, still 6 percent of the total Caltrans budget; but that figure was reduced to $164.8 million when he signed the spending plan and adjusted it to reflect the much-publicized $1 billion tax-revenue shortfall.

The distribution of the state apportionment for mass transit tells yet another story, says the Assembly's Stevens.

"In his last two budgets, the governor has reduced the state allocation for transit operations from $40 million to $2 million," he said.

"That $38 million wasn't lost to mass transit," responds Caltrans Director Robert K. Best. "It was moved elsewhere in the state's support for mass transportation. But it is the definite policy of the Deukmejian administration that state support for mass transportation should generally be limited to capital outlay, not operations."

Best said there are many ways the state supports local transit operations that aren't immediately obvious. "For example," he said, "the state does not collect tolls from buses using our bridges. Present planning, and funding, for new freeways or freeway expansions often adds or sets aside a lane for light rail or bus or high-occupancy vehicle use.

"The Century Freeway, for instance, will have a light-rail line in each direction. Caltrans is planning a second deck for the Harbor Freeway, between the Artesia and Santa Monica Freeways, just for buses and other high-occupancy vehicles."

Best said the state has committed $400 million for Los Angeles's Metro Rail but is not involved at all in the Long Beach-to-Los Angeles light rail project.

"We feel very strongly," says Best's boss, John Geoghegan, secretary of the Business, Transportation, and Housing Agency, "that inner-city transportation is a local or regional responsibility. The state is involved with a number of intercity rail projects, most notably the Los Angeles-San Diego and San Francisco-San Jose commuter trains, but historically it has not been involved with the funding of local bus or rail operations. This administration inherited that tradi-

Robert Best: old hand at CalTrans' helm

Bob Best knew what he was getting into last February when he accepted the job of preparing California to meet the transportation needs of the 21st Century. He had, after all, once spent nearly 10 years at Caltrans — the California Department of Transportation. He was chief deputy director on March 15, 1976, the day then-Governor Jerry Brown appointed Adriana Gianturco director of the department.

A day later, he resigned.

"There were real distinctions between her approach to what Caltrans' mission should be, and mine," he said. "She believed in turning the (road-building) spigot off, in experimenting with people's lives. I didn't."

Six and a half years later, Best was back in Gianturco's office, briefly. As the transition director for Governor-elect George Deukmejian, it fell to him to deliver to the controversial director the not-unexpected news that she would not be invited to remain on the job. Now, at 48, he is back in the director's office again, this time as Governor Deukmejian's choice to be its $85,400-per-year occupant.

Some of the faces are different, but many are familiar, he says, "and the issues are the same: How to move the people and goods that have to be moved, how to accommodate the increasing numbers that are going to have to be moved in the future, and how to pay for it all."

After leaving Caltrans in 1976, the McGeorge-trained lawyer became deputy director of the Pacific Legal Foundation — a law firm bringing a conservative perspective to environmental and civil-rights issues.

Despite his training and recent experience, he has said, "I will not run Caltrans as a lawyer. The governor appointed me as a manager, and because I know Caltrans well — not because of my expertise in the field of litigation."

His management style, he says, will be to determine who has the expertise he needs, to listen to them, and to be "out and about" talking to managers in the field and with motorists.

"I don't shuffle papers and wear out desk chairs," he told Caltrans employees when he took over. "I want to see what people have to do and hear what people have to say."

He hopes, he said, to "achieve a 20 to 25 percent increase in efficiency" with respect to the time it takes to conclude projects. And one of the principal ways to do that, he told the employees, is "to place the trust for decision-making at a lower level."

He shares Deukmejian's frequently expressed concern for the transportation challenges facing California in the next several decades and agrees, he says, with the governor's belief that the challenge must be met by a diverse approach that includes building more freeways while a variety of other techniques are employed to increase the number of occupants of each vehicle on those freeways.

"And it is not just a state problem," he says. "Participating in the search for solutions must be local and regional governments, the manufacturers and growers and employers who are large trip-generators, and the private firms in the business of moving people and goods.

"It makes sense to me to look at the problem on a corridor-by-corridor basis. What works for one corridor might not work for another.

"I see a major part of my job as getting those participants together, in each transportation corridor, and reaching a consensus with them." — *Bob Schmidt*

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California's rail transit systems

San Diego Trolley: 20 miles of track. 27,000 people served daily. $7.4 million dollar budget, with 85 percent from farebox.

Los Angeles County Transportation Commission: Two projects under construction: 1) Century Rail Project with 16.5 miles of rail from Norwalk to the LA Airport area. Operational by 1993, with projected ridership 65,000 daily. 2) Long Beach-Los Angeles Rail Transit Project, with 21.5 miles of rail. Expected to serve 35,000 people daily when opened in 1990.

Southern California Rapid Transit District: The first 4.4-mile segment of the 20-mile RTD Metro Rail is under construction, scheduled to open in 1993. Ridership projected at 55,000. $15 3 million budget, with 40 to 50 percent from farebox.

Santa Clara County Transit Agency: Nine miles of rail. Serves 5850 people daily. $11 million budget, with 2.5 percent from farebox.

San Francisco Muni Railway: 48.3 miles of streetcar track and 10 miles of cable car track. 132,769 people served daily by the streetcar system; 35,840 by the cable cars system. $238 million budget, with 29.5 percent from farebox.

Bay Area Rapid Transit District (BART): 71.5 miles of track, serving 2.5 million people in the counties of Alameda, Contra Costa, San Mateo and San Francisco. Daily ridership 200,000. $172 million budget with 49 percent from farebox.

Cal Train: 46.9 miles of track leased from Southern Pacific Railroad by CalTrans, connecting Santa Clara and San Mateo counties to San Francisco. Daily ridership 16,000. $22 million budget, with 40 percent from farebox.

Sacramento Rapid Transit Metro: 18.3 miles of track. Daily ridership 13,500. $7.2 million budget, with 31 percent from farebox.

tion and is not disposed to changing it.

"The Brown Administration looked at highway building as growth inducing, and didn't want that to happen," Geoghegan said. "The Deukmejian administration is committed to economic development and expansion, and we believe freeways have to be a part of a healthy expansion. What we want to emphasize is sound managing of all transportation systems. We want to look at each transportation corridor, existing or planned, and determine how best to incorporate the various transportation modes that are possible. A freeway, certainly, if that's in order. But also rail or bus, car pooling, van pooling, ridesharing, and capitalizing on the Olympic experience in Los Angeles where work hours and deliveries were staggered to diminish peak hour traffic.

"We gotta do the concrete, but we gotta do other things, too. And we will," Geoghegan added.

Nevertheless, the degree of Deukmejian administration interest in mass transit is of concern to some. The transit operation budget decreases are counter to recommendations by the California Transportation Commission, whose members were appointed by Deukmejian.

"The Commission believes there should be more of a focus on transit than there is, and to that end has formed its own Mass Transit Committee," said Linda Bohlinger, the Commission's deputy director for transit development.

Susan Browne, speaking for the Los Angeles County Transportation Commission, said commission members were "pleased with the success in obtaining state funds for Metro Rail and for improvements in the Los Angeles-to-San Diego line.

"But," she said, "we would like to see more support at the state level for transit funding. There are just too many arguments in favor of transit — efficiency at moving large numbers of people, low fuel use, less air pollution, among others — for it not to be considered very, very important in any planning."

Gordana Swanson, new president of the Southern California Rapid Transit District, agrees. "We want everybody in Sacramento to hear and understand," she said. "The problem in the Los Angeles area is acute. We are calling for help, and we need it now. We have beautiful highways, but they're so overcrowded that they can't accommodate the demands of the day." The most effective relief, Swanson says, is public transit.

"The benefits are tremendous, and the money needed is not that enormous when those benefits are considered," Swanson said. "I grew up in Europe, and I can tell you, I always could get anywhere I wanted. The funding commitment was there. I lived for many years in Chicago, and I never had a car and never needed a car. It could be that way in the Los Angeles area, but there must be a commitment."

Swanson said she was distressed at the governor's position that the state should not participate in the funding of the operating expenses of local transit districts.

"Local districts can't finance operating expenses without help," she said. "At the same time the state has reduced its funding assistance for operating costs, the federal government is cutting back too, and together that poses a great problem.

"Again, when the enormous benefits of public transportation are considered, the investment required is worth while, and I am going to try to convince the governor and his people of that."

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A DIVERSE SET OF PROBLEMS

Latino educators face the challenge

By Louis Freedberg

If you want to see the future face of California, step into a kindergarten class in the Los Angeles Unified School District. Fully 63.5 percent of kindergarten students in the state's largest school district are Latino.

How well — or how badly — the schools educate their 1.2 million Latino students will have a major impact on California's future. So far, the consensus among educators, especially Latino educators, is that Latino education is experiencing an enduring crisis.

On almost every indicator, Latinos fare worse than other major population groups. The dropout rate is the most alarming. In 1987 alone, according to official state figures, 11.6 percent of Latino students in grades 10 through 12 dropped out. But there is a wide consensus that close to 50 percent of Latino students never graduate. The problems start early on. By the 3rd grade, 80 percent of Latino students fluent in English are already behind grade level in reading, writing and math. The end results are dismally predictable. As of 1985 only 4.9 percent of Latino seniors were eligible for admission to the U.C. system, and only 1.9 percent enrolled.

The lack of educational success has direct consequences for Latino efforts to increase their political clout in California. Even though an emerging Latino political leadership is making itself felt at the grassroots level (see "Latinos," *CJ*, January 1987), Latinos remain a relatively weak force at the ballot box. In 1984 Latinos made up 21 percent of the state population, but only 7 percent of those who turned out to vote. Voter turnout is directly tied to educational background, so increases in educational achievement will bring a commensurate surge at the ballot box.

A number of indicators suggest that Latinos are themselves pointing the way towards a brighter educational future. First, while Latinos are a generally divided, sometimes fractious community, there is a genuine unanimity on the issue of education. Second, there is an emerging Latino educational leadership in the schools consisting of principals, administrators and superintendents. Third, there are signs of greater political activism by Latino parents on behalf of their children, and a growing number of Latinos are running for and winning seats on local school boards. Statewide, 223 Latinos sit on school boards, the most in any category of Latino elected officials. These grassroots developments provide the best hope to turn around a system which has so far failed to graduate perhaps the majority of Latino children.

Take the case of Garfield High School in Los Angeles, setting for the highly acclaimed movie "Stand and Deliver." Exactly 20 years ago Garfield High and other predominantly Latino schools were the scene of massive student walkouts protesting high dropout rates and other educational grievances. At their peak, 20,000 students were out of school, making the "lockouts," as they were called, the largest high school protest in U.S. history. The innocuousness of Garfield's current problems reflects the turnabout that has taken place at a school that 10 years ago was in danger of losing its

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Louis Freedberg, senior correspondent for Pacific News Service, has written extensively on Latino politics and education.

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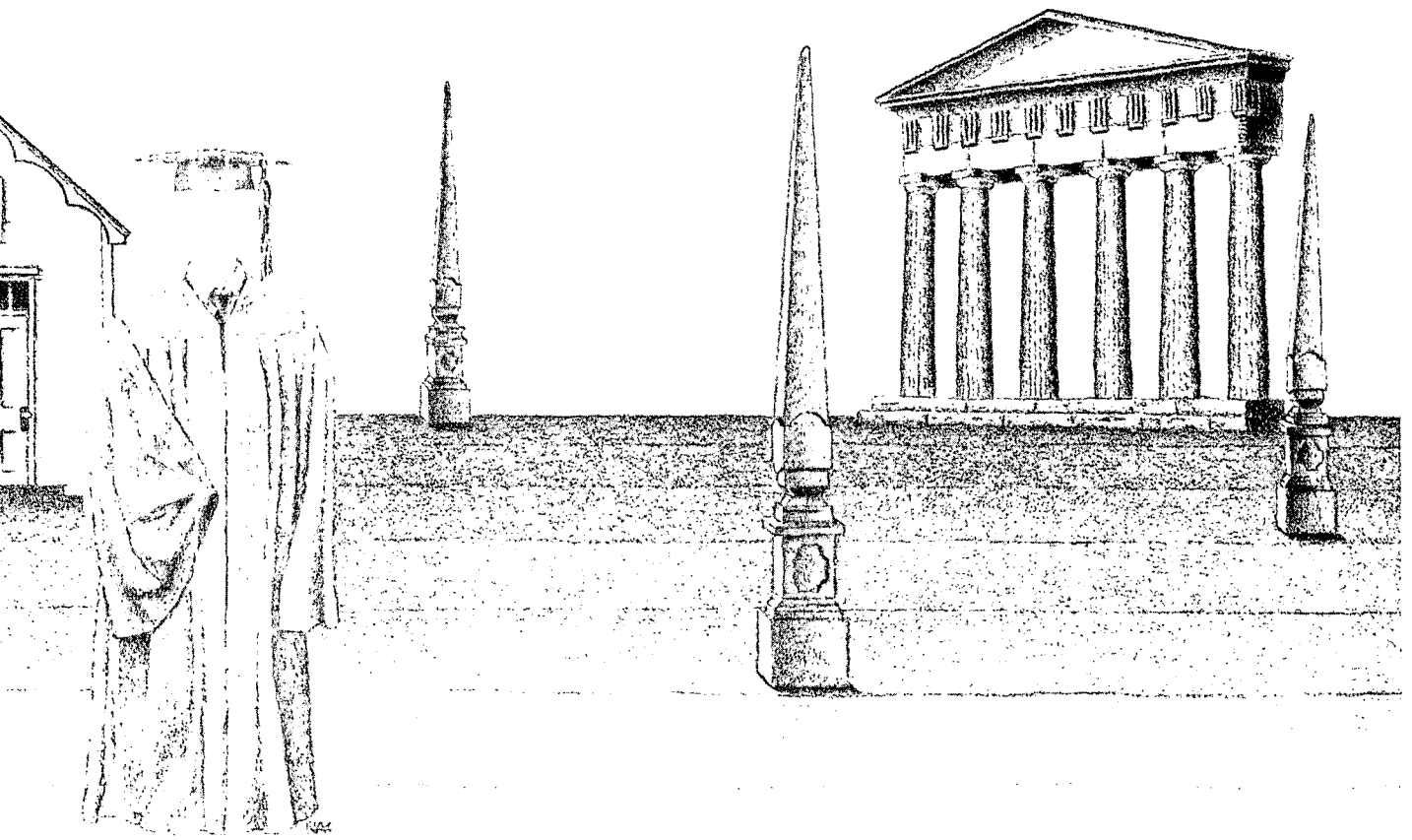

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Maria Tostado, born and raised in these neighborhoods, is the new principal of Garfield, and she proudly recounts how the school has become a symbol of Latino educational revitalization. The movie "Stand and Deliver" chronicles a remarkable story of how Jaime Escalante, a Bolivian-born math teacher, coached his Latino students to take an advanced placement test in calculus. Against all odds, the students passed. The disbelieving Educational Testing Service charged that the students had cheated, and made them retake the test. Once again, the students passed.

What is significant about Garfield is that an ethos of success has been built up at the school over the past decade. In addition to Escalante, close to 20 teachers are offering AP classes in subjects ranging from French and Chemistry to U.S. and European history. In 1979, 32 students were enrolled in advancement-placement classes. Last year, 504 were registered and 383 passed. Only one of the 49 high schools in Los Angeles has more students taking AP classes. Seventy percent of last year's senior class went to college, considerably higher than the national Latino average of a little over 40 percent.

These are the brightest, most promising students. Yet there is still a harsh reality that must be dealt with, at Garfield and elsewhere. Average test scores of the approximately 3500 students are still extremely low. Eleventh graders score at the 25th and 27th percentiles on reading and language tests, respectively — well below the district's own averages. In math, however, students score at the 52nd percentile, an indication of the impact Escalante's calculus classes may have had on the entire school.

Garfield must also cope with an endemic dropout problem. Special dropout prevention programs have been established, like the Support Center, located in a large undecorated room down the hall from the principal's office. Here, students work quietly in cubicles trying to make up classes they need for graduation. It deals head-on with the problem of insufficient credits, which 41 percent of the state's nearly 10,000 annual dropouts cite as the reason they left school. Before the Garfield program started two years ago, students had to go to summer school or evening adult classes to catch up. Because of work or family responsibilities, or simply because of the additional effort required, many students didn't follow through.

Maria Corres, 18, is in the 11th grade and is trying to catch up on English and World History credits she missed because she dropped out in the 9th grade. Sitting in her cubicle wearing a black blouse, jeans, and high heels, she is reading Richard Wright's *Native Son.* She returned to school at the urging of her brother, who dropped out of school and found out that he "needed a high school diploma." He now works in the family's Mexican restaurant in Huntington Park. "This will help me," she says of the program. "Here teachers have a way of making you do your work." Of her previous school, she recalls, "You'd get an assignment, and you'd have a whole week to do it. Here you get an assignment every day."

Continued on next page

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In addition to the Support Center, Coca Cola has given Garfield a $60,000 grant for a less-formalized dropout prevention program, which has targeted 250 "at-risk" students. Staff members call parents as soon as students are absent. Students who show an improvement in attendance receive incentives like T-shirts, backpacks and tickets to football games. Administrators say all of the students in last year's program have graduated. "There is no foolproof system that I can guarantee that every youngster whom we take in the 10th grade will graduate," says Vice Principal Philip Saldivar, who grew up in the now heavily Latino San Fernando Valley. "But our goal is to get close to that."

The new momentum at Garfield and in other schools has been brought about in large part by an emerging and often indigenous Latino educational leadership which emphasizes that raising expectations is the key to Latino educational advancement. This leadership has not yet melded into a coordinated statewide lobbying force, but it is making itself felt in local school districts. Most visible are the dozen or so Latino school superintendents in California, including Ramon Cortines in San Francisco, Joe Coto in Oakland, Yvette Del Prado in Cupertino and Anthony Trujillo in the Sweetwater School District near San Diego.

In Oakland, tough-talking Superintendent Joe Coto, who grew up in a small copper-mining town in Arizona, exemplifies this new breed of educational leadership. Unlike his counterparts in heavily Latino districts, he is something of a lone voice in a district where there are no Latinos on the school board and Latinos make up only 12 percent of the student body.

Most educators insist on the need for all students to get a high school diploma, but Coto is articulating a vision that goes far beyond that. He argues that all students must set their sights on going to college, and has set up the Promise program — the promise that financial need will not be a barrier for any student who wants to go to college. This year, the financially strapped Oakland school board set aside $500,000 in a trust fund which will be used to cover college costs that aren't met by standard scholarship or financial aid packages.

It will be an uphill struggle. In 1987 only 17 — or 11 percent — of Latinos in the senior class went on to a four-year college. "What we are really trying to do with our Promise program is to effect major institutional change," says Coto, a former member of the Oakland City Council. "It's an effort at getting counselors, teachers, parents, the business community, the school board, the superintendent, everyone saying to the students, 'A high school education is not enough. The world is changing too dramatically. The only way you are going to survive effectively is by going to college.'"

Coto has also instigated a High Intensity Program in the elementary grades, setting up classrooms with an almost unheard of 1-to-15 teacher-pupil ratio to reach students who are "at-risk" of dropping out. Coto believes that his Latino background makes a difference in ways that are not always quantifiable. When he visits classrooms, for example, he is able to talk to Latino students in Spanish. "Latinos are going to say, 'Yeah, right on, *mira el senor Coto*, he says you can go to college'. They're going to believe me more strongly than if it was someone else who they could not visibly see is from the same roots as me."

The kind of leadership provided by Coto is still a rare occurrence in California schools, reflecting the paucity of Latinos in the teaching profession and the harder-to-define factor of discrimination in hiring. In Los Angeles, home to two-thirds of California's Latinos, Latinos make up 57 percent

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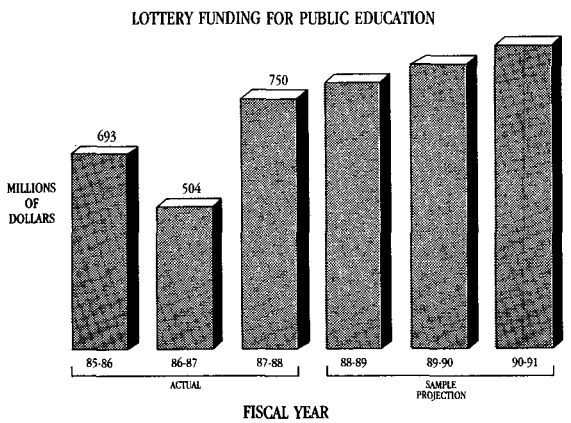

After three years, the Lottery has raised more than $2.0 billion for California public education, including approximately $750 million during the 1987-88 fiscal year. This is about $132 per student for the year, and represents the equivalent of three percent of education's funding needs.

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of the district's almost 592,273 student body. But only 10 percent of its teachers and 15 percent of its administrators are Latino. Most emerged from the same east side schools where they now work.

Some, like associate superintendent Ruben Zacarias, a product of the tough Latino streets of Boyle Heights, have successfully made a dent on Latino stereotypes. When Zacarias was in charge of the predominantly Latino schools in Region G, he began an aggressive program to identify gifted Latino students. Latinos have traditionally been severely underrepresented in these programs, but today 2406 out of just over 51,000 students have been identified as gifted. He also placed a high priority on increasing attendance at individual schools, and Region G has had the highest daily attendance in the district for four years running. "People said, 'Well, Latino kids don't like to come to school, parents don't care about school,'" he says from his administration building office. "That is totally wrong." Hanging on the walls of his office are posters which read "Yes you can, now climb higher," and "Books are weapons in the war of ideas."

But the obstacles in the way of Latino educational leadership were dramatically underscored last fall when Deputy Superintendent William Anton, the district's highest ranking Latino administrator, was not appointed to the vacant post of superintendent. Anton, who graduated from Garfield High School, had worked in the Los Angeles schools for 37 years, and had risen to the number-two spot in the district. Last year's contest for the top position became rapidly politicized. Anton and a fellow deputy superintendent, Sid Thompson, who is Black, emerged as two of the leading candidates. Latino parents and organizations coalesced behind Anton's candidacy. In what was widely regarded as an affront to both the Black and Latino communities, the board went outside the district for the first time in 40 years to hire Leonard Britton, Miami's Anglo superintendent. "Very honestly, I was shocked," says Anton. "I just assumed, with the change in demography and my proven success here, that I really had a shot. Certainly the Latino community was equally devastated."

Anton's chances of getting the superintendent's post may have been diminished because Latinos are severely underrepresented on the Los Angeles School Board. Leticia Quezada, the only Latino board member, represents the east side. Because board members are elected by district, there is a possibility that a Latino could be elected from the increasingly Latino San Fernando Valley, but the chances of any more than two Latino representatives in the foreseeable future are remote.

Underrepresentation of Latinos in Los Angeles reflects a statewide pattern. In 1986 only 6.6 percent of California school board members were Latino, compared to the state's 23 percent Latino population, according to the Southwest Voter Registration Project. The problem of underrepresentation is exacerbated by the large numbers of Latino parents who are not citizens or are permanent residents who cannot vote, although their children are in the schools. According to U.S. Census figures, 52 percent of Latinos did not cast ballots because they were non-citizens, compared to 8 percent of Anglos and 8 percent of Blacks. Thus, hundreds of thousands of parents of Latino children — particularly those in the elementary grades where Latino students are heavily concentrated — are effectively disenfranchised from participation in school board politics.

Reverend Horacio Quinones, a veteran of parent politics in Los Angeles, expresses the frustration of a community's political impotency and its growing sense of urgency about the crisis in Latino education. The 52-year-old Quinones, pastor of the Latin American Baptist Church in the east side, is also coordinator of Padres Unidos (Parents United), a group that played a major role in trying to get Anton appointed to the

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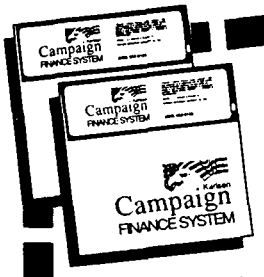

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superintendent's post. At least eight times during the process, he brought several hundred parents to school board meetings. "One time we took the children to speak," he says. "It didn't make any difference." Quinones was a mediator in the 1968 school walkouts but questions whether much has been accomplished over the past two decades. "Here it is 20 years later, and the dropout rate is 52 percent at Roosevelt and 47 percent at Garfield (high schools)," he says. "After 20 years there's been no change."

The solution is parent power at the school rather than board level, Quinones insists. "The only powerful force for change is parent involvement," he says. The focus should be on helping parents to focus on their own children, "not a whole bunch of children." Quinones is hoping to establish a series of "parent academies" run by Padres Unidos in collaboration with the schools. Parents will take classes in subjects like child development and legal rights. In order to "graduate," parents will have to take five out of six courses. Their children will be invited to a ceremony at which the superintendent will present parents with a graduation certificate. Quinones says the model has been successfully tested in San Diego.

"No more fighting and screaming, because it doesn't work," Quinones says. "We're going to build parents to defend their children, to be able to say this child is going to make it to college, come hell or high water."

Elsewhere around the state there are signs of a mostly unpublicized activism. In the Little Lake School District, covering several communities in the heavily Latino San Gabriel Valley, parents have elected three Latinos to the five member school board in a district with a 52 percent Latino student enrollment. The new majority has appointed an Anglo superintendent who is viewed as being sympathetic to the needs of Latino students. Parents, spearheaded by activists like Lisa Delgado, have been working with the Mexican American Political Association which has played a leading role in the area.

In the Central Valley, Bill Diaz, a former member of the Delano High School Board, founded Adelante, the first statewide Latino political-action committee designed to help Latino elected officials. School board elections in the Central Valley have been a major focus of Adelante, and its efforts are showing results. In nearby Richgrow, for example, four out of five school board members are Latino. Diaz says one of his biggest challenges is to overcome a feeling of defeatism among parents. Diaz says they invariably say to themselves, "We've been defeated so many times. Why should we vote because we always lose?"

Reflecting the sense of urgency in the Latino community, Latino organizations have begun fledgling efforts outside of the schools to tackle the problem. In a basement off the Santa Monica Mall, for example, the Latino Resource Organization provides after-school tutoring for a Latino population that has spread far from the eastside into this coastal community. In San Francisco, the innovative multi-pronged youth service agency RAP (Real Alternatives Program) has established La Escuela, a school in the heart of San Francisco's Mission District, where it provides an alternative for 50 Latino students in four portable bungalows provided by the school district. On an outside wall, students have painted a mural of a giant orange phoenix. The inscription reads, "It lived in the desert and then consumed itself in fire and rose renewed to start another long life with new hope" — an inscription that might equally well apply to the students that RAP serves.

In 1985 the state Legislature approved SB 65, a landmark education bill that set aside $12 million for the first coordinated statewide dropout program. State Superintendent of Public Instruction Bill Honig has established an Hispanic Advisory Committee to make recommendations for improving Latino education. "We have a long way to go, but the movement is positive," he says. He points to "fairly substantial movement" over the past three years — declines in Latino dropout rates, rises in Latino test scores, and improved enrollment in two-year and four-year colleges.

"If we can't do it, I don't know who is going to do it," says Honig. "We have a long history of inclusion (in California), and there's an understanding that if you don't educate these kids you pay a price." Honig says part of the problem is that, with some exceptions, Latinos have not come together as an effective or cohesive force. "It's frustrating from our end, because we lose if we don't get a sense of collectivity and there seems to be a reluctance to do that in some areas."

In Latino communities themselves there is a strong feeling that change will not come from Sacramento, but that the impetus must come from the schools and parental involvement. Sal Castro, the chief architect of the 1968 school walkouts in Los Angeles and now the dropout-prevention coordinator at Belmont High School in downtown Los Angeles, has shifted his focus from the streets to political empowerment. "Reform is not going to happen until we have three or four school board members," says Castro.

In the absence of that representation, it will be up to the community surrounding each school to mobilize, says Leticia Quezada, the sole Latino school board member in Los Angeles. "What is making a difference is the attention students are getting from parents, teachers and principals at the school level," she says. "It's that concentrated focus that is making a difference."

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Ceci Lopez, migrant education secretary, Alum Rock School District

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CALIFORNIA ISSUES: WHAT DID CALIFORNIA'S YOUTH THINK?

On April 24-27, 1988, one hundred twenty-five high school students from a cross-section of communities in California assembled in Sacramento for Capitol Focus Project's spring program. They examined more than twenty issues facing citizens and policy-makers in our state. After hearing contrasting perspectives from professionals at the Capitol, they marked their ballots. Here is a sample of their vote on a variety of issues:

Capitol Focus Ballot Results

	Yes	No
School Drop-Out Problem (SB2802): Should high school drop-outs lose their driving privileges?	15%	85%
Bilingual Education: Should catagorical funding for mandatory bilingual education programs statewide be re-established by the state legislature?	49%	51%
Curbside Recycling (AB2877): Shall state-funded curbside recycling programs be established in California?	65%	35%
Adjustments to State Spending Limitations (Proposition 71 on June Ballot): Should the so-called "Gann Limits" on state spending be adjusted to allow for increased expenditures for education and other areas as provided by this initiative?	68%	32%
Concealed Weapons (AB618): Should the permit requirements to carry a concealed weapon be relaxed?	16%	84%
Mandatory Motorcycle Helmets (AB36): Shall motorcycle riders be required by law to wear helmets?	58%	42%
Automobile Insurance Reform Proposals (SB187):		
No-Fault Insurance:	47%	53%
Rate Regulation Board:	82%	18%
Mandatory Parental Consent For Abortion: Shall minors be required to obtain parental consent prior to an abortion?	11%	89%
Race for the United States Senate		
Senator Pete Wilson-R:	50.6%	
Lt. Governor Leo McCarthy:	49.4%	
Campaign Reform Proposals		
Public Financing of Campaigns:	50%	50%
Spending Limits by Candidates:	75%	25%
Prohibit Transfer of Campaign Funds:	68%	32%

The next Capitol Focus program is October 23-26, 1988 in Sacramento. Participants will examine the initiatives on November's ballot, the race for the Presidency and U.S. Senate, and other issues facing policy-makers in California this year. For more information, please contact:

James C. Muldavin, Capitol Focus Project
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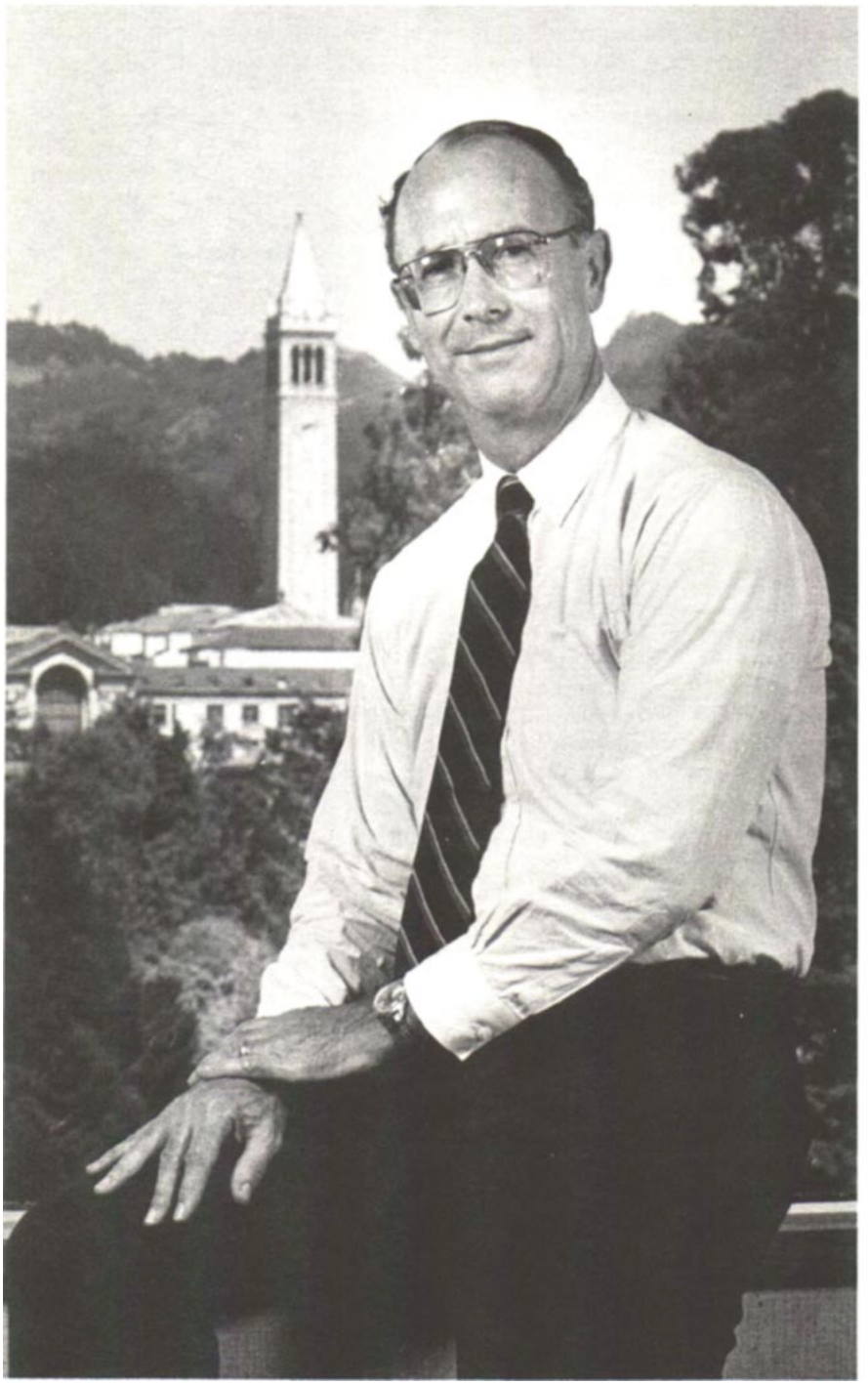

Photos by Rich Pedroncelli

David Gardner: the ivy-covered politician

By Diane Curtis

When David Pierpont Gardner became president of the University of California five years ago, he was determined not to repeat what he considered two major mistakes in the institution's past: the intrusion of politics into academia and a rift between the president and campus chancellors.

The imposition in 1949 of a loyalty oath on UC professors by the Board of Regents underscored to him the harm in allowing politics to intrude into what he believes should be the inviolate sanctuary of academia. The Free Speech Movement 15 years later taught him the danger of putting the kind of "wedge" between himself and the chancellors that caused a split between former President Clark Kerr and UC-Berkeley Chancellor Edward W. Strong.

Five years after he took over, Gardner is one-for-two. He has a sound relationship with campus chancellors but has been less successful at keeping politics out of academia, with the catalytic issue being divestiture of UC investments in corporations that do business with South Africa.

Beyond these two issues, Gardner has been remarkably successful at developing political relationships with those who exercise power over the university's economic lifeline — Governor George Deukmejian and the Legislature. His ability to win money for the university has become legendary among other branches of the state's educational system, whose proponents have noticed that UC has quietly collected much larger increases than have other education systems. Gardner has done

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Diane Curtis is a reporter for the San Francisco Chronicle.

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this by being supportive of the governor during a budget crisis early in Gardner's tenure as president, and at a time when other education leaders — notably, schools chief Bill Honig — were locked in open warfare with Deukmejian over their share of the budget pie.

Gardner's relationship with the chancellors is said to be one of mutual admiration, fostered in part by mutual loyalty. For example, Gardner proved, in his handling of charges of embezzlement against former Santa Barbara Chancellor Robert Huttenback, that he will back his officers until he is given substantive proof there is a problem.

When a university audit found that Huttenback had misspent almost $200,000 of university money on his house, there were immediate calls for Gardner to fire him. But the university chief refused to act before he had the results of a thorough investigation by university officials. When the report was in, Gardner met privately with Huttenback, who resigned a week later. The chancellors in turn have little quarrel with what the 55-year-old Berkeley native has done for their campuses.

Gardner's predecessor, David Saxon, warned before he left that the university was in grave danger of losing its distinguished worldwide stature if the stinginess that characterized the Ronald Reagan and Jerry Brown budgets wasn't reversed.

To this end, Gardner said he came to the job with four objectives: to check the downturn in state support for the university; to enhance and improve the quality of the university's teaching, research and public service; to help the university through a "period of transition" in which the ethnic and racial composition of both students and staff reflects the growing minority population in the state; and to make sure there is space for the growing numbers of California students who qualify for entrance to UC.

The university has succeeded or is on the way in most cases, Gardner said. In October, after a series of meetings this summer on campus capacities and needs, he will make a recommendation on expansion of UC, possibly adding a 10th campus. He also is proud of academic accomplishments — moves to improve undergraduate education; internationalizing the curriculum with more education-abroad programs in Pacific Rim countries and starting a graduate school of international studies at UC-San Diego; improving the humanities courses and opportunities for humanities instructors.

His success in enrolling and hiring minorities has been "mixed," Gardner said. While there has been "dramatic progress" in enrolling undergraduate minorities — the numbers of Blacks and Hispanics have increased by 1 percent a year for the past 20 years — the numbers are not necessarily enough. Minority hiring of faculty has shown only "modest improvements," he said.

Since Gardner became president, UC's budget has increased from $1.1 billion to $2.1 billion, recovering the losses of the late '70s and early '80s. Faculty salaries, once lagging 18.5 percent behind similar universities, are now comparable. In addition, the capital-improvement budget has jumped from $82 million to $201 million, with $1.5 billion in construction of libraries, residence halls, student unions, research laboratories and clinical buildings occurring at all the nine campuses. Enrollment, once feared to be in such a decline that one campus might have to be closed, is flourishing, and the regents will be considering expansion programs this year. And the threat of hefty student-fee increases, broached as a possible antidote to the lean offerings from Sacramento, have abated.

Gardner has been less successful at keeping politics out of the university and laments that the vote on divesting UC's South African portfolio "came close" to crossing the line. Debate on the divestment issue took on a "coercive" tone that has no place in the university, he said.

"I feel strongly that the university in our society should not be used as a political instrument by anyone — including myself, faculty, students, regents, alumni, donors, the business community, legislators or the governor — and I will resist that," Gardner said in a recent interview in his seventh floor office in Berkeley's University Hall.

In a precise, grammatically-perfect delivery that sounds as if he were reading from a prepared text, Gardner continued: "I think the value of a university is its very neutrality, its non-partisanship, its capacity to enjoy the respect and confidence of the people such that they are getting straight talk and accurate information and correct facts and dispassionate judgment."

In characteristic fashion, Gardner demanded detailed reports and testimony on divestment before he was ready to take action on the call for the university to distance itself from the apartheid government. He refused to be rushed by student demonstrations that resulted in more than 1000 arrests and by demands from legislators, such as Assembly Speaker Willie Brown, to sell off the South African portfolio.

Associates have said Gardner was fed up with the grandstanding of the politicians, and during one appearance before a legislative committee in which Brown insinuated that Gardner did not oppose apartheid, Gardner's irritation produced a rare, emotional response.

"Mr. Speaker, my great-grandfather was driven from Canada because of his religion; he settled in Nauvoo (Illinois). A mob burned his house and drove him to the West. After several years and more bloodshed, he came to Utah, but this was no sanctuary. In fact, the bones of my ancestors are strewn throughout the Western United States. And I have personally known discrimination because I am a Mormon. Therefore, Mr. Speaker, I abhor oppression, whether it occurs in South Africa or in Iran or in Russia. But I do not choose to advertise it."

In June 1985 Gardner recommended to the Board of Regents that UC conduct a case-by-case review of the "corporate citizenship" of companies in which UC owned stock and which did business in South Africa. Neither liberals nor the very conservative members of the board, who attacked it as anti-business, were satisfied. But the proposal did what Gardner had meant it to do: It got enough votes to pass.

It was Gardner's first major victory on a tough issue and, because he had decided there was no way to reach consensus on such a controversial topic, it also represented his own personal view of what was best for the university.

A year, and many South African abuses later, the victory soured as Governor Deukmejian, an ex-officio regent, barreled into a Board of Regents meeting with his own proposal for complete divestment. Gardner, who admits he doesn't like surprises, was surprised. Besides being unprepared for Deukmejian's motion, which passed, it represented to Gardner political interference with the university.

It was also the first important occasion in which the regents, whom Gardner has been credited with having "in the palm of his hand," bucked him.

His success with the regents rests greatly on his intellect, his unintimidating manner, his own high regard for full disclosure, his willingness to listen and take into account all viewpoints and his ability to sum up an issue after presenting both sides.

"He's one of the smartest people I've ever met and one of the most com-

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Photos by Rich Pedroncelli

petent administrators," said Regent Stanley Sheinbaum, a Los Angeles businessman and appointee of former Governor Jerry Brown. "He is on top of every last item that one would want the president to be on top of." Sheinbaum said Gardner presents the regents with complete information but isn't "manipulative" about what decision they come to.

Gardner got similar reviews from other regents, who also praised his ability to get along with the politicians who control the purse strings. That attribute also was evident during his presidency of the University of Utah from 1973 to 1983 and a major reason Gardner was chosen for the UC job. The regents especially credit him with procuring the windfall from Sacramento that has turned UC around, saying his low-key, give-'em-the-facts-politely approach won over both Governor Deukmejian and the Legislature. A few others say a healthy economy finally enabled a sympathetic governor and Legislature to act to UC's benefit.

But Gardner himself hints the governor could have gone either way before he made his first big budget commitment to UC.

"I think his mind was not settled on this issue when I came in 1983," Gardner said. "He afforded me the opportunity to help him think through this matter. He is a thoughtful person, and I believe simply concluded that it was good for the state of California that the University of California should remain a distinguished institution accessible to every student who is eligible and wishes to enroll."

Gardner's first entreaty to Deukmejian came in the form of a request for a 31 percent increase in the 1984-85 UC budget at a time when double-digit raises were unheard of.

The new UC president got what he asked for, thanks in part to his ability to read and stroke Deukmejian at a time when the governor was besieged by others as a tightwad who was crippling education in California. Gardner's strategy was a calculated risk, but it worked.

Assemblyman John Vasconcellos, chairman of the Ways and Means Committee, described Gardner as "the ultimate rational man" — formal, dispassionate, careful and protective of the university. Vasconcellos, who emphasizes that he likes and respects Gardner but would like him to be a bit bolder and more passionate, said the UC president has very much "charmed" the governor.

Gardner maintains a friendly relationship with Deukmejian even when his budget proposals are reduced. During a fight over the 1986-87 budget, while Honig was screaming "disaster" and charging that Deukmejian's proposed cuts would "wreak havoc in the schools," Gardner was circumspect about the UC reductions, which he quietly described as "workable." He gambled, amidst some criticism, that the governor meant it when he said the cuts would be for one year only. He capitulated to Deukmejian on the governor's first budget, when the state was faced with a severe deficit, and Governor Deukmejian has rewarded that loyalty ever since.

Gardner said he believed Honig's feud with the governor has had no bearing on UC's success in Sacramento, and Honig brushed off suggestions that style can make a difference.

"We've played ball, and we've been antagonistic," Honig said of his dealings with the administration. "I don't think strategies matter."

Honig said Gardner gets better results partly because UC's budget is one-tenth that of elementary and secondary schools and also because Gardner represents a rarefied constituency that appeals to some of Deukmejian's most influential backers.

Gardner, however, doesn't rule out a personal style that wins friends in high places, and expresses satisfaction with his ability to deal with the powers-that-be in Sacramento. But he said he does not change his method of operation for different people.

"I have a very straightforward approach," he said. "I'm not naive about the political dynamics that occur, but I'm not part of the flow of partisanship that tends to characterize much of what occurs in Sacramento. I think it's very important that the university both be, and be perceived to be, non-partisan, so I conduct myself in a wholly non-partisan fashion."

Some observers say that Gardner isn't quite as forthright as he claims. "He's a supreme political Machiavelli," said one university critic who has dealt with Gardner on several occasions. For example, the critic said, Gardner downplays the need for more money for graduate students because it is not a particularly popular issue in Sacramento. At the same time, he has also been assailed for letting undergraduate education flounder until the public criticism about its flaws produced a response.

But even his critics give Gardner an overall good rating and agree with his backers that he has been exceptionally good for the university. Wilson Smith, a self-described "David Gardner fan" and professor of higher education at UC Davis, said Gardner ranks among the great university presidents. Smith brushed off early criticisms that Gardner may have managerial skills but that he lacks the academic credentials to be among the greats, citing Gardner's 1967 book, *The California Oath Controversy* — a

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treatise about the UC loyalty oath and its effect on professors — as evidence of Gardner's academic credentials.

If his supporters do criticize him, it is more often for his obsession with reaching a consensus among board members or for what they say is a fragile ego. "He doesn't take criticism very well," said one regent. "He bristles."

It may be that ego that gets him to acknowledge problems rapidly and at least get started on addressing them. Solutions take more time because of Gardner's demand for a complete review before taking any action. Regent Vilma Martinez said she finds Gardner's need to reach a consensus on almost all issues "personally frustrating at times," but she said his method has served the board well.

She referred to the recent near-unanimous agreement (there was one negative vote) on an admissions policy that states that racial, cultural, socio-economic and geographic factors should be considered as well as grades and test scores when enrolling students who meet UC's eligibility requirements (see "Asians and UC," *CJ*, June 1988).

Said Martinez, "He laid all the groundwork, let us see as best we could all the competing forces."

The Gardner who reveres rational and dispassionate debate said the admissions issue has been one of the most frustrating for him. On the one hand, ethnic groups like Anglos and Asians complain that it's not fair that less-qualified applicants are getting into the most popular campuses because of the policy. On the other, underrepresented minorities like Blacks and Hispanics ask why the university can't do more to ensure their enrollment in greater numbers.

"In a way, the advice I'm getting is contradictory," Gardner said, adding a favorite refrain: "Anyone who thinks he has the solution doesn't understand the problem, and anyone who understands the problem doesn't have the solution.

"All we're trying to do is help the university educate academically eligible Californians who will be in positions of leadership and who encompass the diverse character of our population. This is not to say our decisions are perfect or that our procedures are flawless or that our policies are not subject to improvement."

The University of California, one of the largest in the world, has 157,000 students, 116,000 employees, nine campuses, five teaching hospitals, three law schools and three national laboratories which it runs for the Department of Energy.

Although Gardner was the first UC president since 1899 chosen from outside the university system, his selection represented more of a homecoming than an initiation. He was born in Berkeley, received his bachelor's degree from Brigham Young University before enrolling at UC for his graduate degrees in political science and higher education. He rose through the ranks of UC administration in such positions as vice chancellor at the Santa Barbara campus and as a vice president of the system before taking the post in Utah.

He chaired the national commission that produced the breakthrough 1983 report, "A Nation at Risk," which warned of a "rising tide of mediocrity" in public grade-school education and spawned reform efforts throughout the country. Gardner also was a finalist for the UC presidency in 1975 when Saxon was chosen.

When Gardner accepted the UC post, he created an instant controversy because he insisted on maintaining his Utah standard of living. The regents agreed to make him the highest paid state official in California with a salary of $150,000. He also said the president's house on campus was not private enough for his family, therefore, the regents gave him a temporary, interest-free loan of $150,000, a 25-year 6.11 percent mortgage of about $295,000 and a $65,000 grant for improvements to another home, which is outside Berkeley.

The regents have since increased his pay to $198,000. While lawmakers such as Vasconcellos call the salary "outrageous," others, like Sheinbaum, say Gardner should be paid twice that for so superbly running an institution far larger and more complicated than any major corporation, where administrative salaries are far higher.

"He's a bargain at that price," agreed Regent Roy Brophy, a Sacramento developer appointed by Deukmejian.

Gardner, who is married with four daughters, makes no secret of the fact that his family comes first in his life. He declines work-related Sunday engagements, setting them aside for his family and his commitment to the Mormon Church, for which he teaches a gospel doctrine class. He won't go out more than two nights in a row and doesn't go into the office on Saturday. And he likes gardening. "I don't have to think," Gardner said. "Just go out, dig up a weed, prune a rose or water a plant."

Gardner laughs at descriptions of himself as lacking passion. "Everyone expresses one's passion differently," he said. "I am passionately committed to the University of California and what it stands for and the noble cause it serves — the advancement of truth and understanding. I'm devoted to that. The question is how do I help it along. I find that it is helped along by my being more reasoned and rational than my being more passionate."

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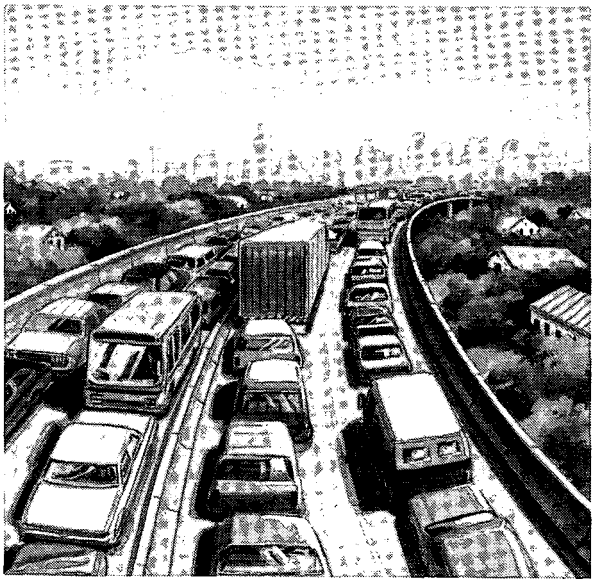

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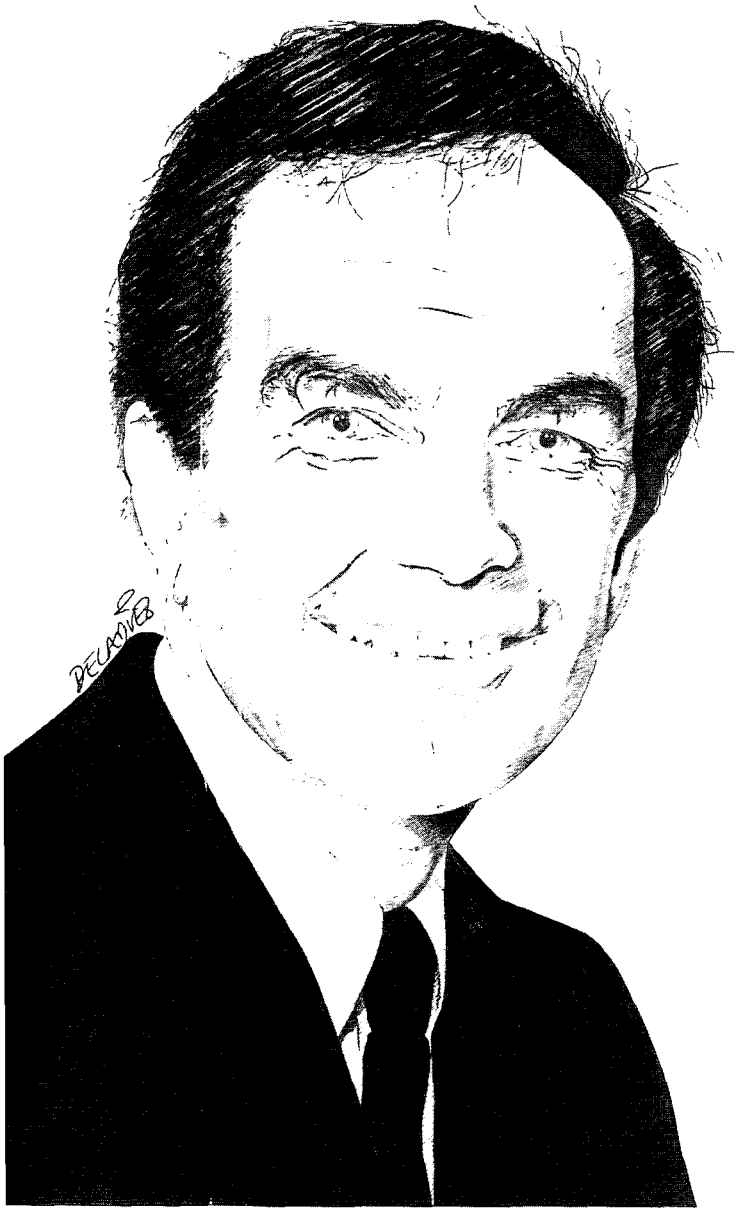

CHIEF OF STAFF MICHAEL FROST

For good or ill, very much like the Duke

By A.G. Block

Michael Frost's greatest strength as chief of staff to Governor George Deukmejian is the way he mirrors the governor's attitudes, philosophies and style. Like Deukmejian, Frost is a technician whose management ability and understanding of state government draw high praise. And like the governor, Frost plays life close to the chest. Although congenial at times, he tends to be guarded, conservative and aloof. His belief that government ought to play a limited role in society is in lock-step with the governor. Personally and politically, there is a natural rapport between the governor who makes policy and the chief of staff who implements it.

Ironically, the fact that the 48-year-old Frost is so much like his boss may also be at the root of his weakness as the governor's chief minion. He may be too much like Deukmejian, especially when it comes to style and personality. Frost himself doesn't consider the similarity a weakness; in fact, he is proud of the comparison.

But according to sources both inside and outside the administration, Frost is too quick to circle the wagons when he perceives a problem or an attack on the administration. In times of trouble, sources say, Frost is not likely to seek counsel from those outside Deukmejian's inner circle, leaving the governor isolated politically and remote from fresh approaches to governmental problems. This isolation, these critics say, contributed to a string of setbacks — from the defeat of Dan Lungren's nomination as treasurer to the govenor's short-lived proposal for "temporary minimal adjustments" in state revenues to help counter a 1988-89 budget shortfall — that have plagued Deukmejian over the past year.

"His [Frost's] weaknesses are also the governor's weaknesses," said a lobbyist who asked not to be identified. "He understands what the governor wants but, like the governor, he is also petulant and not part of the crowd. He stands alone. Frost's fault is ratifying what the governor thinks rather than providing a balance."

A 1964 graduate of California State University, Sacramento, Frost has spent his entire career in government, mostly in California. He was appointed chief of staff to succeed Steven Merksamer in April 1987 after serving for more than two years as the head of Deukmejian's legislative staff. He first came to the administration in 1983 as director of the state Department of Personnel Administration, a job which capped 10 years in the personnel field. From 1981 to 1983 he served as associate director of the federal Office of Personnel Management in Washington, D.C. Prior to that, he held a number of jobs with the California State Personnel Board, including assistant secretary. He had legislative staff experience as chief of staff to former GOP state Senator Fred Marler Jr. from 1965 to 1973. Marler was Senate minority leader during part of that time.

Frost's rise through the ranks of the Deukmejian administration was partially engineered by Merksamer, who left Deukmejian's employ in 1987 to become a partner in a politically potent Sacramento law firm. Early on, Merksamer included Frost among the governor's senior staff although the

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head of DPA was normally not a part of the governor's inner circle.

"I was personally interested in collective bargaining and personnel relationships," said Merksamer, "and I thought it was important for Mike to participate in senior staff. He made a very good impression on me and on others."

Frost's *ad hoc* presence among senior staff made him familiar to the governor's inner circle when, in late 1983, then-legislative secretary Rod Blonien was transferred to the Department of Corrections to oversee the prison-construction program. Merksamer recommended that Frost replace Blonien, putting Frost in a position to work with Merksamer and the governor on a daily basis. When Merksamer himself decided to leave the adminstration soon after the 1986 election, he recommended Frost as the new chief of staff. The job pays $87,552 a year, $14,000 more than Frost earned as legislative secretary.

"There were a number of people discussed," said Merksamer of Frost's appointment. "But Mike's strengths as legislative secretary and his understanding of the administration and of government were very thorough. This convinced the governor that he felt the most comfortable with Frost."

As a manager, Frost receives high marks.

"Mike Frost is the first chief of staff I can remember who was really interested in management and how it's conducted," said Health and Welfare Secretary Cliff Allenby, who added that he has known all chiefs of staff from Ed Meese (under then-Governor Ronald Reagan) to Frost. "He has been inclined to let the agencies make day-to-day decisions without having to get absolute clearance. Other [chiefs of staff] have not been so inclined. He was brought to the office because he is a manager."

"Mike is very enjoyable to work for," said James Robinson, Deukmejian's director of public affairs and communications. "I can have input on any issue confronting the administration, and not just those pertaining to my territory. He makes me feel welcome. He's accessible any time of the day. And he's extremely well organized. Your memos don't sit around for three or four days unread."

"He's very good at giving directors enough rope and latitude," said Randy Ward, director of the state Department of Conservation. "You can't ask for more as a director than not to be interfered with. They have expectations of me, and they expect me to act responsibly and use good judgment and keep them informed."

Ward said he keeps the governor's office informed through weekly memos, but also through occasional meetings with Frost and the governor. These meetings, instituted in January by the governor with Frost's support, involve two or three department directors and can last up to three hours, Ward explained. "They want to find out what's going on in the trenches," he said.

Said Allenby of the meetings, "It's been an honest effort [by the governor and Frost] to hear about the issues. They want to find out about the problems, and they're asking what the administration can do to help."

"[Frost] is a superb manager," said Larry Thomas, former Deukmejian press secretary who now works in private industry. "He delegates responsibility and authority and doesn't micro-manage. Look at his record elsewhere. He's had people on his staff who were loyal to him and liked and respected him. That's the best test."

"I operate through an organization," Frost explained while relaxing in his Capitol office across the hall from Deukmejian's. "I get people who are capable of carrying out their roles and give them clear direction and let them do it and follow up with signposts to make sure it's actually getting accomplished."

While Frost is given high marks when the process runs smoothly, he has critics when it comes to decision-making in more troubled waters.

"Frost has a long pattern of playing things close to the vest," said a source within the administration. "Merksamer did this on some things, but he was also a cheerleader who kept the troops inspired. He did this by sharing information and making you feel part of a team. This is completely lost with Frost. People have trouble getting decisions and answers from him."

"He comes off as arrogant, and that arrogance impacts his ability to see what other people might think in terms of advice and wisdom before decisions are made," said another member of the administration who spoke on the guarantee of anonymity. "There's a feeling now in the governor's office that they know best."

Merksamer

According to sources within the administration, the governor's inner circle, with Frost at its helm, is composed of "yes men." The governor, they say, has no one to disagree with him, and this can lead to unnecessary trouble.

Robinson, however, sees Frost differently. "[Frost] throws all topics open to discussion at senior staff meetings every morning," he said. "It's true, we share in common a basic political philosophy ... but there are very vigorous discussions and debates about topics."

But Health and Welfare Secretary Allenby isn't so sure. "I don't know if Frost is aggressive in making a case if he sees a problem," he said. "I don't think he's aggressive in taking alternative views to the governor's view."

"He [Deukmejian] has no pro-active people around him," said another observer. "They're all reactive."

Frost disagrees. "I hold strong views, and ... I never hesitate to give him my views. 'Yes man' is a perjorative term. We [Frost and Deukmejian] share the same political philosophy. We may disagree on approach, but we always reconcile that."

Frost added that Deukmejian is very analytical and doesn't feel comfortable making a decision unless he has a broad spectrum of views on a particular issue. Frost said he considers it an important part of his job to ensure that the governor has access to those views.

"I work 70 hours a week, and there is never enough time to see all the people who want to see you," said Frost. "And there are a lot of people I'd like to be able to deal with but can't get time."

Critics also charge that when the governor's office reacts to unfavorable reviews or criticism, it generates the same kind of response in both Deukmejian and Frost — a tendency to lash out defensively. Several sources cited the flap over an estimated $1 billion shortfall in the 1988-89 budget as an example of what happens when decisions made by the governor's office go awry.

When the budget shortfall first appeared in mid-May, the governor announced plans to cope with it, among other ways, by eliminating laws which prevented taxpayers from being bumped into higher tax brackets when they receive cost-of-living wage hikes. The press reported this plan as a tax hike. GOP legislators, apparently caught unawares by the Deukmejian plan, also considered it a tax increase and refused to comment on it. Meanwhile, Vice President George Bush's presidential campaign was grumpy because the plan stole

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much of the thunder it was preparing for its Democratic opponent, Massachusetts Governor Michael Dukakis, who had raised taxes to counter a similar budget problem in his home state. A defiant and publicly-petulant Deukmejian steadfastly refused to acknowledge his plan as a tax increase but was unable to persuade anyone to his way of thinking. In the end, he chucked the plan and blamed the media when no one else would go along.

Sources say the budget situation was mishandled because a negative reaction aroused the same defensiveness in both Frost and in the governor, and that no one else in the governor's office was strong enough or experienced enough to challenge them. The result, they say, was a public-relations nightmare.

"It was appalling how they handled the budget this year," said a source who works for Deukmejian. "The shortfall wasn't the governor's fault. But instead of being matter-of-fact about it, instead of saying, 'Hey, we've got a problem. We didn't collect enough last year, and we've got to make up the difference,' they got terribly defensive and circled the wagons. This one was very easy, and they blew it."

But Frost said there was nothing easy about problems created by the budget shortfall. "This is the most difficult problem we've been faced with in the past five-and-a-half years," he argued. "When you find out in the last six weeks of the fiscal year that you not only have a billion dollar shortfall in the next year, but in the current year ... to find out you have these problems is anything but simple."

As for its proposal being labeled a tax increase, Robinson said that the perception of not raising taxes is a touchy subject to the administration. "The governor stated very clearly that it wasn't tax increase," Robinson said. "One of the primary objects of his administration has been to improve California's image from being a high tax state to low tax state. He feels very strongly about what he stands for and he won't sit still for an image of reversing our principles."

Frost denied that the administration lashed out at the press. "He was explaining why the proposal, from an analytical standpoint, had to be withdrawn after two weeks of being called a tax increase," he said.

"The basic problem is that they don't look to anyone's counsel but their own," said a lobbyist familiar with the administration. "[Frost] is the 'us-versus-them' man who doesn't look to outside opinions, even from potential allies. Merksamer wasn't much different in philosophy, but at least he knew he had to deal with outsiders. They desperately need divergent opinions [in the governor's inner circle]. It's too easy, under these circumstances, to come to the wrong conclusions."

"There is a different group now who has access to me than had access to Merksamer," said Frost. "This reflects a difference between people we happen to know and people we happen to deal with. There's no difference in number of people we deal with."

But wrong conclusions and miscalculations seem to have caused the governor more than a normal share of setbacks during his second term. There was the failed appointment of Lungren to be state treasurer; the attempt to do away with Cal-OSHA, which drew fire not only from labor but from business groups normally loyal to Deukmejian; a rigid antipathy toward new or increased taxes that led to a transportation bond act defeated by voters in June, and to the public-relations disaster over the current budget shortfall; an unpopular trial balloon meant to control California's GOP presidential delegates by running in the primary as a favorite-son candidate; the loss, for California, of a federally-funded supercollider and a privately-funded high-tech research center. Some of these problems occurred before Frost took over as chief of staff; others took place during his tenure. Yet, they all reflect a perception of ineptness that Frost must deal with.

In addition, there are what *Sacramento Bee* columnist Martin Smith called "the lost opportunities." In a June 30, 1988, column, Smith referred to a survey by the *Wall Street Journal* which found that in states such as Arkansas, New Jersey and Delaware, governors were dealing creatively with problems left to them by a withdrawn federal government. California, Smith noted, was not mentioned in the survey because the governor of California is not proposing imaginative solutions to the state's myriad problems.

Governor Deukmejian must bear the brunt of any criticism for lack of foresight, but the fact that he has a technician like Frost as his chief of staff may compound the problem.

Not that Frost hasn't reached out at times. Last year, for example, he sought out the California Taxpayers Association to plug the administration into Cal-Tax research on the effects of Proposition 4 — the Gann appropriations limit. Since then, however, many observers have noticed a retrenchment in the governor's office, dashing what many people hoped would be a more open and enlightened approach to the outside world after the departure of Merksamer.

To the contrary, say observers, the increased perception of isolation in the governor's office has come about because of the difference between the personalities of Frost and his predecessor. Merksamer had worked closely with the governor since Deukmejian was first elected attorney general back in 1978. He helped guide Deukmejian's successful bid for the governorship in 1982 and his sweeping reelection four years later. In many ways, Merksamer was regarded as Deukmejian's alter ego. But although his political philosophy was much the same as the governor's, his personality was different. Merksamer was sternly protective of the governor and had a reputation for operating close to the vest on most occasions. But he could be outgoing and a glad-hander when the occasion called for it — especially the political occasion. Frost, it is said, is much too aloof, too much the loner.

"I don't know why people find him aloof," said Robinson, a long-time colleague. "But that could be said about every chief of staff in the country. The chief of staff to the governor is going to be a lightning rod and the repository of frustrations that others on the outside may have when they can't always get the meetings and proposals they want."

Others agree that the image may come with the territory.

"This governor's office is not much different from others," said Cliff Allenby, who has served in one adminstration or another since Ronald Reagan was chief executive. "People don't get out of it very much."

Said Merksamer: "It is very important for whoever occupies that office [chief of staff] ... to reach out for a wide variety of views. I tried hard, although there are critics who would say I was isolated. It's very easy when you're in government in a senior position to get wrapped up in inside baseball — what the local establishment thinks."

The problems facing California, and the failure of both executive and legislative leadership to adequately address them, are leading state government more and more toward chaos. As Deukmejian's chief of staff, Frost must be more than simply a good manager who loyally implements decisions by his boss. He must also help direct a more diverse flow of information and opinion to his boss. The challenge for Frost over the remainder of Deukmejian's second term is to shed the perception that he and the governor make decisions in a vacuum.

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BALLOT FRONT

A roundup of statewide initiative proposals. All statutes require 372,145 valid signatures; constitutional amendments require 595,485. In parentheses is the deadline for sponsors to submit signatures to county clerks, and the issue of California Journal *that contains a full explanation of each measure. Regardless of the date shown, signatures should have been submitted in April 1988 for any measure to qualify for the November 1988 ballot.*

Qualified for the November ballot:

Proposition 78: Higher Education Facilities Bond Act. $600 million in general obligation bonds for aid to the University of California, California State University, state community colleges and the California Maritime Academy.

Proposition 79: School Facilities Bond Act. $800 million in general obligation bonds for the acquisition, construction and lease-purchase of school facilities.

Proposition 80: New Prison Construction Bond Act. $817 million in general obligation bonds for the acquisition, renovation, construction and deferred maintenance of youth and adult correctional facilities.

Proposition 81: Safe Drinking Water Bond Law. $75 million in state bonds for loans and grants for construction and improvement of domestic water systems.

Proposition 82: Water Conservation Bond Law. $60 million in general obligation bonds for local water projects, water conservation programs and groundwater recharge facilities.

Proposition 83: Clean Water and Water Reclamation Bond Law. $65 million in state bonds to finance water pollution control and water reclamation projects.

Proposition 84: Housing and Homeless Bond Act. $300 million in general obligation bonds to finance housing programs for the poor and homeless.

Proposition 85: California Library Construction and Renovation Bond Act. $75 million in general obligation bonds for acquiring, remodeling and constructing public libraries.

Proposition 86: County Correctional Facilities Capital Expenditure and Youth Facilities Bond Act. $500 million in general obligation bonds for constructing, remodeling and maintaining county jails, county youth facilities, youth centers and youth shelters.

Proposition 87: Property taxation: redevelopment projects. Exempts tax revenues for payment of principal of and interest on bonded indebtedness for the acquisition or improvement of real property from portion allotted to redevelopment agency. Sponsored by the Legislature.

Proposition 88: Deposit of public moneys. Authorizes deposit of public money in any federally-insured industrial loan company in California. Sponsored by the Legislature.

Proposition 89: The governor. Gives the governor the power to review parole board decisions regarding persons serving indeterminate sentences for murder. Sponsored by the Legislature.

Proposition 90: Property taxation: reappraisal exception. Provides that base-year property values be transferred to replacement homes purchased or newly built after November 15, 1986, for persons over age 55. Sponsored by the Legislature.

Proposition 91: Courts of record. Requires that justice court judge nominees be members of the State Bar or judges of a court of record for five years. Sponsored by the Legislature.

Proposition 92: Commission on Judicial Performance. Staggers terms of commissioners and specifies the commission's powers if formal proceedings are to be instituted. Sponsored by the Legislature.

Proposition 93: Property taxation. Deletes residency conditions for armed forces claimants for property tax on property exemption of $1000. Sponsored by the Legislature.

Proposition 94: Judges. Authorizes court of record judges to accept part-time teaching positions, but prohibits earning of retirement service from that position and allows trial court judges to take unpaid leave of absence to run for public office. Sponsored by the Legislature.

Proposition 95: Housing and nutritional assistance. Creates a public corporation to disburse funds to counties, other local jurisdictions and non-profit organizations for emergency and temporary services for hungry and homeless persons and to provide specific low-income housing. Initiative statute sponsored by Board of Equalization member Conway Collis.

Proposition 96: Communicable disease tests. Requires testing for AIDS, AIDS-related conditions and other communicable diseases upon finding probable cause to believe bodily fluids were transferred in cases of persons charged with certain sex offenses and certain assaults on policemen, firemen or emergency medical personnel. Initiative statute sponsored by Los Angeles County Sheriff Sherman Block.

Proposition 97: Cal-OSHA. Requries funds be budgeted for Cal-OSHA and that steps be taken to prevent withdrawal of federal approval of state job-safety and health plan. Initiative statute sponsored by John Henning of the California Federation of Labor.

Proposition 98: School funding for instructional improvement and accountability. Establishes minimum levels of funding for school and community college districts and transfers to these districts all state revenues in excess of the Gann appropriations limit, then exempts these funds from the limit. Districts may use the money only to improve instruction and accountability. Initiative constitutional amendment sponsored by Ed Foglia, president of the California Teachers' Association.

Proposition 99: Cigarette and tobacco tax. Imposes an additional tax of 1.25 cents for each cigarette distributed and the tax equivalent on other tobacco products. Initiative constitutional amendment sponsored by the Coalition for a Healthy California.

Proposition 100: Insurance rates and regulation. Requires a 20 percent minimum reduction in good-driver rates from those in effect on January 1, 1988; requires companies to insure any good driver in counties where the companies sell insurance and provide the drivers with the 20 percent discount. Initiative statute sponsored by Steve Miller of Beverly Hills.

Proposition 101: Motor vehicle accident claims and insurance rates. Limits accident claims for non-economic losses (pain and suffering) to 25 percent of the economic losses; prohibits lawyers' contingency fees greater than 25 percent of economic losses for accidents occurring between November 9, 1988, and December 31, 1992. Initiative statute sponsored by Democratic Assemblyman Richard Polanco.

Proposition 102: AIDS reporting. Requires doctors, blood banks and others to report to local health officers any patients and donors whom they reasonably believe have been exposed to AIDS or who have tested positive for the disease. Initiative statute sponsored by Republican Congressman William Dannemeyer and Dr. Lawrence McNamee.

Proposition 103: Insurance rates and regulation. Regulates the way auto and other property-casualty insurance rates are established and lowers rates at least 20 percent from November 1987 levels, freezing them until November 1989 unless an insurance company is substantially threatened with bankruptcy. Initiative statute sponsored by Harvey Rosenfield of Santa Monica.

Proposition 104: Automobile and other insurance. Establishes a system of no-fault insurance for auto accident injuries to cover medical and funeral expenses and lost wages. Non-economic damages would be prohibited except in cases of serious and permanent injuries and certain specified crimes. Initiative statute sponsored by Stanley Zax of Beverly Hills (insurance industry initiative).

Proposition 105: Disclosures to customers, voters, investors. Requires advertisers' warnings on wide range of products and activities, including proper disposal of toxic household products and identification by initiative campaigns of their sponsors. Initiative statute sponsored by Jim Rogers of Oakland.

Proposition 106: Tort claims. Prohibits attorney contingency fees in excess of 25 percent of the first $50,000 recovered, 15 percent of the next $50,000, and no more than 10 percent of the rest. Initiative statute sponsored by Edwin Smith of Sacramento.

Source: Secretary of State's office

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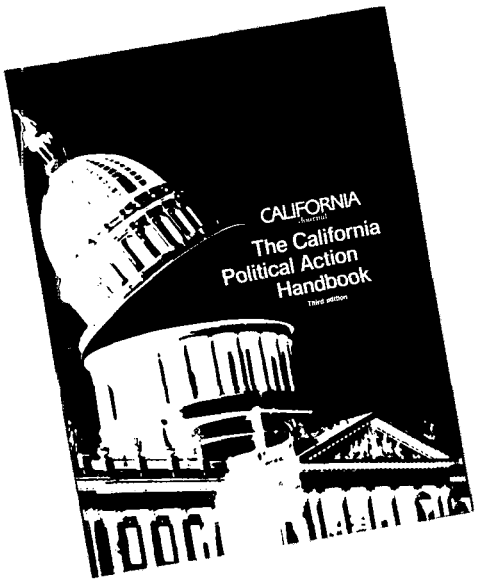

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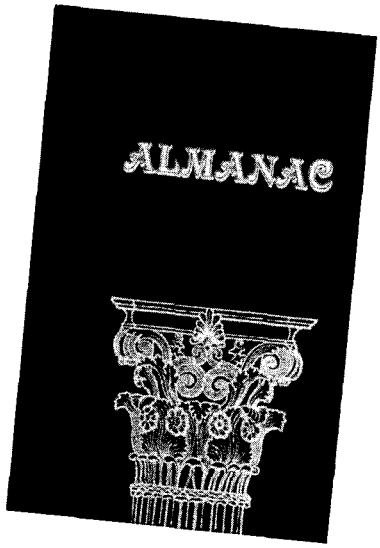

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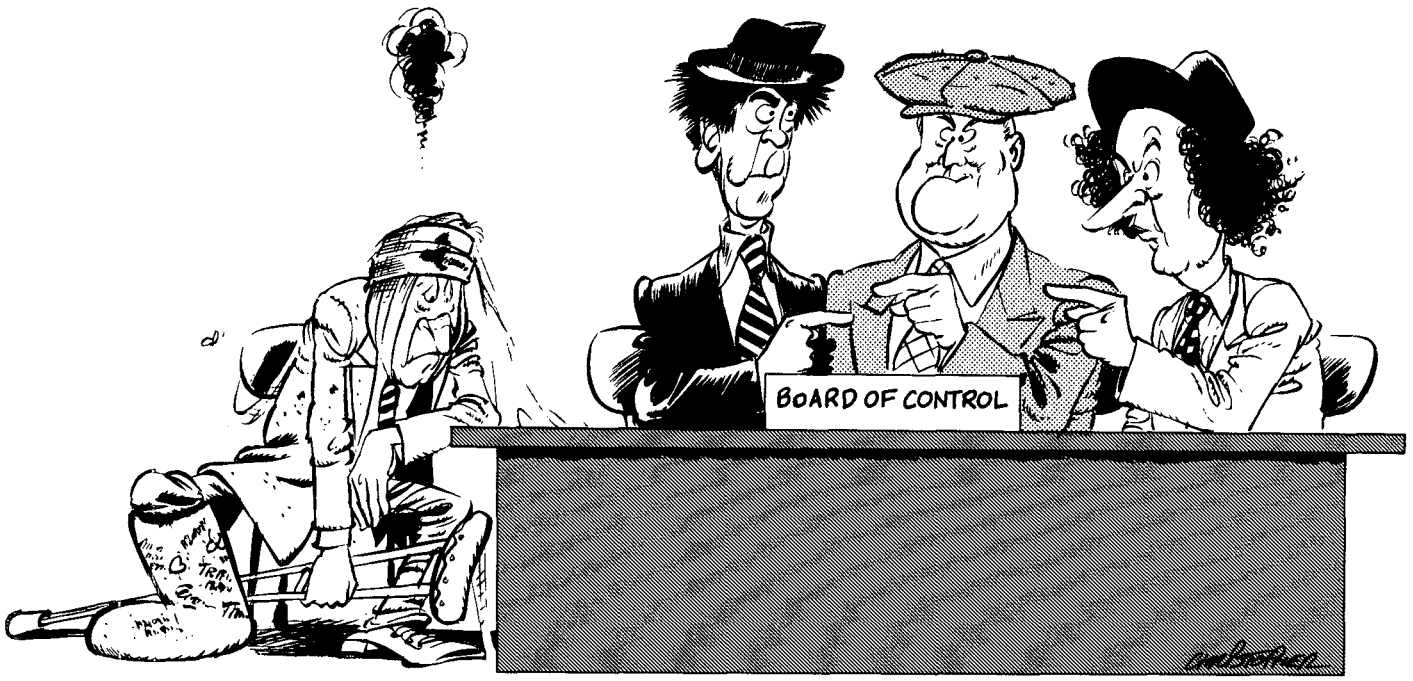

VICTIMS OF CRIME AND THE BOARD OF CONTROL

Big job swamps a small bureaucracy

By Max Boot

The Yolo County Child Sexual Abuse Treatment Center has treated more than 700 sexually abused children — many of them the victims of incest — since its founding in 1984. With its weekly group therapy sessions and individual counseling by psychotherapists, the center aims to allow children to live healthy, happy, normal lives after they have been sexually molested in their own homes — often by their own fathers.

But, according to Executive Director Wendy Walsh, the center is so far in debt that it soon may have to shut its doors or cut back services. Most of the children that the sexual abuse center treats are supposed to have their medical and counseling bills paid by a state program called the Victims of Crime. However, the government agency which runs the Victims of Crime program is so inefficient in processing claims that it owes $30,000 to the Yolo County Center, whose total operating budget this year is only $130,000.

"We've got a waiting list of 88 children," says Walsh. "If I had the money they owe us from past clients, we could serve the ones who are waiting now, rather than putting them on a waiting list for six to eight months."

Most of the children who come to her center are "traumatized," Walsh adds, and "having to wait makes the situation much worse."

Unfortunately, the situation in Yolo County is not unusual. Many abuse centers throughout California are in deep trouble because the Victims of Crime program may take as long as 18 months to pay victims' bills, observed Paul Chrissey of the California Consortium of Child Abuse Councils. What's more, Chrissey asserted, many private therapists are refusing to treat patients in the Victims of Crime program because payment can be so long in coming from the state.

The Victims of Crime program was created to compensate the victims of violent crimes for lost wages, medical and counseling expenses, and other costs that are a result of the crime. Money for the program comes from assessments on convicted criminals and some federal sources and currently stands at about $64 million. Victims of Crime is run by an obscure state agency called the Board of Control. The three member panel, chaired by the director of the Department of General Services, W.J. Anthony, has come under fire recently from the news media and legislative critics because of the "crisis situation" that exists at the victims program.

Not even the administrators of the program dispute that it is a mess. By law, Victims of Crime should pay claims within 90 days of when they are received. However, a March 1988 audit by state Auditor General Thomas Hayes found that the

Max Boot is city bureau chief of The (Berkeley) Daily Californian.

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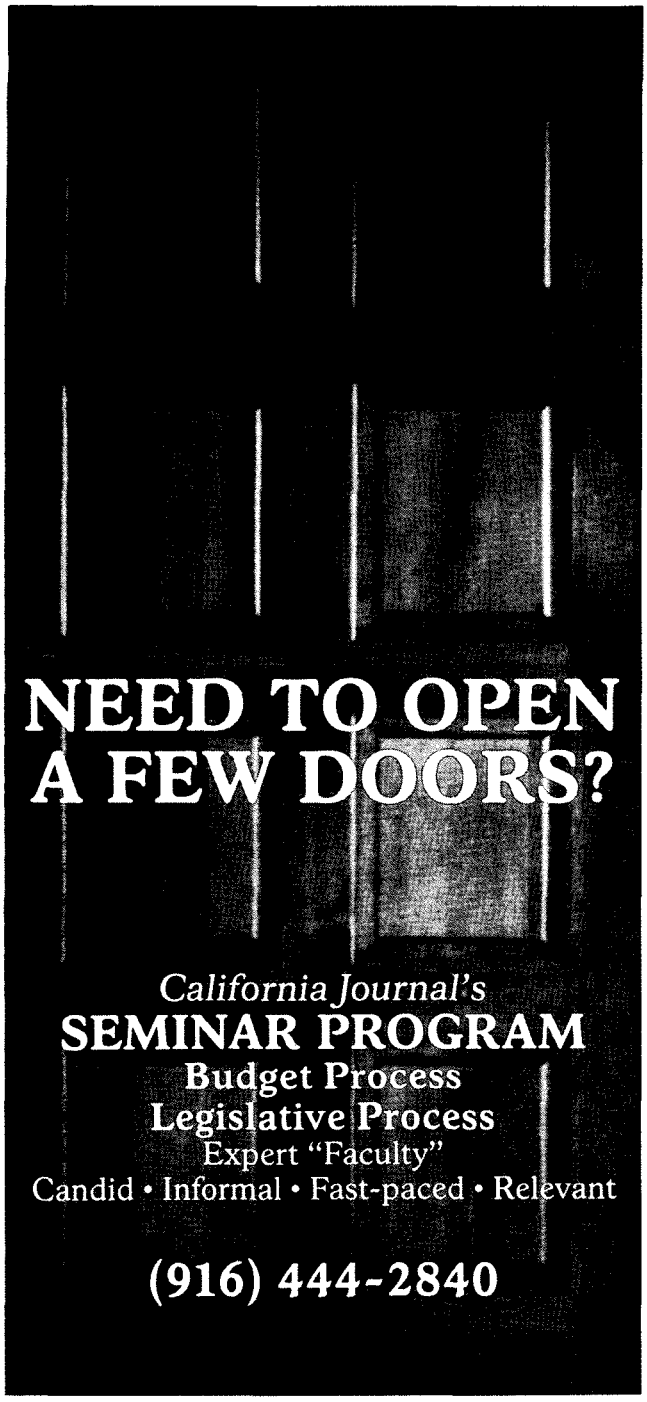

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process actually takes an average of 231 days. And, Hayes reported, the Board of Control "improperly denied, paid, or verified" 27 percent of a random sample of 100 regular claims. The board also made "questionable denials" on 13 of 58 emergency claims that the auditors reviewed. While the auditor general's report found that the board had paid out $10,000 to the wrong people in a six-month period ending December 27, 1987, a confidential internal General Services Department audit, conducted in May 1987, found that $750,000 had been misspent.

In March, Hayes determined that the board had a 10,000-case backlog. The situation has not improved since. "The auditor general's number is still relatively accurate," acknowledged Board of Control Executive Secretary Austin Eaton, administrator of the Victims of Crime program.

In addition, the Victims of Crime program has been plagued by morale problems. The October 1987 suicide of a program employee, Ray Banion, was linked by *Sacramento Bee* columnist Pete Dexter to Banion's "harassment" at the hands of his supervisor, Deputy Executive Director Judith Embree. Subsequently, a dozen program employees testified before a subcommittee of the state Senate Judiciary Committee on October 12, 1987, that Embree had harrassed and mistreated them, leading to extremely low morale among the staff.

"We have victims working within the victims' program," Chris Lackey, a shop steward for the California State Employees Association, told the Victims subcommittee, chaired by Democratic state Senator Art Torres of Los Angeles. Embree maintained that she was being made a scapegoat for the program's larger problems. She resigned in January 1988.

Another black eye for the board of control: While many crime victims are not getting any money from the state, Alex Cabargas, a convicted child molester who is serving a 208-year jail sentence, applied for and did receive financial assistance from the Victims of Crime program — because Cabargas himself had been molested as a child. The Board of Control's handling of the case was heavily criticized by law-enforcement officials and raised serious questions about its guidelines for doling out state aid.

The Board of Control's myriad problems have made headlines in the state's leading newspapers, including the *Bee*, *Los Angeles Times* and *San Francisco Examiner*. Recently the CBS magazine show "60 Minutes" aired an investigative report on the Victims of Crime program.

Besides press attention, the board also has been the object of legislative scrutiny, chiefly from Torres and Assemblyman Charles Calderon, an Alhambra Democrat. Following the 1987 hearing at which board employees criticized Embree, the Victims subcommittee conducted another inquiry into the Board of Control's problems on June 27, 1988. The evidence presented at the latest hearing — including testimony from anguished child therapists — merely confirmed that the Victims of Crime program is in trouble.

The Board of Control, which has received national notoriety for its mishandling of the Victims of Crime program, was originally created for a far different purpose than compensating the victims of violent crimes. Ironically, it original mission — and still a large part of its mandate — was to mediate disputes with Californians who feel victimized by their own state government. "If a citizen feels harmed by the state, he comes here to file a claim against the state," explained Executive Secretary Eaton, adding that the Board of Control is the agency of last resort before a taxpayer files suit against the government. The Board handles tort and equity claims, Eaton said.

The first-in-the-nation Victims of Crime program was

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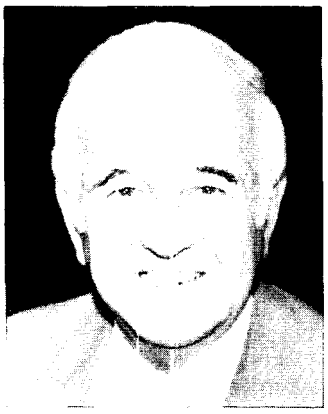

Anthony

Davis

created in 1965, and for many years was just a small, "sleepy" part of the Board of Control's operations. In the early 1980s, however, the victims program exploded in size for two reasons: First the passage in 1982 of the Victims Bill of Rights increased the amount of money victims could get and, at the same time, eased the requirements for receiving compensation. Second, a concomitant blaze of publicity made many potential beneficiaries aware for the first time of the existence of the Victims of Crime program. Now, the mediation side of the Board of Control is about one-sixth the size of the Victims of Crime program.

Yet while the number of victims' claims grew exponentially — tripling between 1984-85 and 1985-86 and doubling between 1985-86 and 1986-87 — the Board of Control failed to keep up. It knew how to process tort and equity claims against the state, critics charge, but it did not have the manpower, facilities, data capacity, or management skills needed to run the now-titanic victims program.

Asked why the Board of Control had not been able to handle the sudden influx of victims' claims, Chairman W.J. Anthony answered, "We did not anticipate the fantastic growth that the program got."

But, Anthony continued, the Board has now implemented a series of corrective measures — including hiring more people to investigate compensation requests, hiring more managers, acquiring more office space, and patching onto a mainframe computer at the state Department of Health and Welfare — that, he predicted, will allow the Victims of Crime program to process claims within the legally-mandated 90-day span by December.

Critics of the Board of Control do not share Anthony's optimism, however. "From what we can tell," Torres asserted, there has been "no improvement" in the handling of victims' claims.

In response, Torres introduced an amendment to the state budget last month that would have transferred the Victims of Crime program from the Board of Control, which is run by Anthony and another Deukmejian appointee, Dr. Elmer Jaffe, to the office of state Controller Gray Davis, who is a Democrat and who also sits on the board. But Torres' legislation was dropped by a Senate-Assembly budget conference committee. In any case, Governor Deukmejian promised to veto the bill, presumably because it would be a poor reflection on his administration to, in effect, admit defeat in attempting to run the Victims of Crime program and then hand it over to a Democrat — especially to a Democrat like Davis, who has made no secret of his ambition for higher office, including the one currently occupied by Deukmejian.

Torres, who is preparing a second bill to transfer statutory authority for the Victims of Crime program to Davis, denies that his legislation is politically motivated. And Davis refuses to publicly endorse the proposed move. Nevertheless, in a recent interview, the controller appeared enthusiastic about the opportunity to run the high-profile Victims of Crime program. "If the program is given to me, we can perform the work professionally and promptly," Davis claimed. "We have more than 300 auditors trained in evaluating claims."

Replied Anthony: "There's a certain amount of political posturing (by Davis) ... In the one and a half years that Davis has been on the Board (of Control) he has only appeared once (at a meeting). He really can't be too concerned with what's going on with the board."

Anthony, who admits, "I'm embarrassed about what's going on now" with the Victims of Crime program, also suggests that Davis is as much to blame for the program's failures as is the Deukmejian administration. "Mr. Davis shares in the successes and failures of this program. He is a one-third partner in all this," Anthony said, referring to the three-member Board of Control.

Because of Deukmejian's veto power there is little chance that the Victims of Crime program will indeed be transferred to the controller's office. However, Robert Shuman, Davis' chief counsel and his representative on the Board of Control, argues: "It's gotta start turning around or else you really do need to think about starting over and giving the program to someone else."

Echoing Torres, Shuman adds: "I haven't seen any significant improvement in the handling of claims."

But while the politicians are quarrelling in Sacramento, programs like the Yolo County Child Sexual Abuse Treatment Center are sinking deeper into debt. And the victims of violent crimes — many of them sexually molested children — are finding it increasingly difficult to get the help they have been promised.

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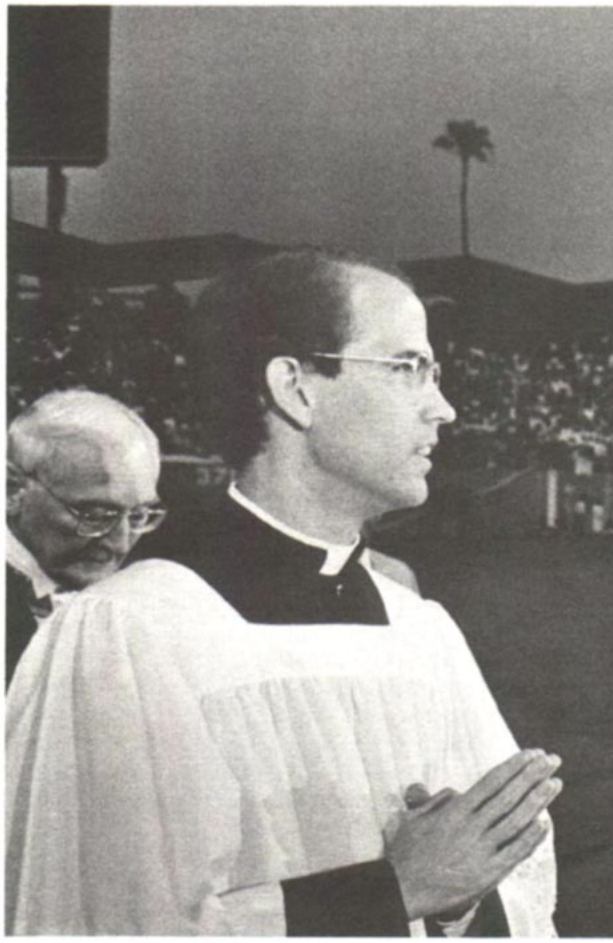

ARCHBISHOP ROGER MAHONY OF LOS ANGELES

Activist pastor for a diverse flock

By Ruben Castaneda

Then the King will say to those at his right hand, "Come, O blessed of my Father, inherit the Kingdom prepared for you from the foundation of the world; for I was hungry, and you gave me food; I was thirsty, and you gave me drink; I was a stranger, and you welcomed me; I was naked, and you clothed me; I was sick, and you visited me; I was in prison, and you came to me." Then the righteous will answer him, "Lord, when did we see thee hungry and feed thee, or thirsty and give thee drink? And when did we see thee a stranger and welcome thee, or naked and clothe thee? And when did we see thee sick or in prison and visit thee?" And the King will answer them, "Truly, I say to you, as you did it to one of the least of my brethren, you did it to me."

—Matthew 25:34-40

St. Vibiana's Cathedral in downtown Los Angeles seems an unlikely home for the leader of the country's largest Roman Catholic archdiocese. Nestled at the northern edge of downtown's Skid Row, the old cathedral and rectory stands adjacent to a midnight mission for the homeless. Scraggly-looking men clutching bottles and cans wrapped in brown paper, and middle-aged women with haunted visages reflecting dreams lost and lives gone awry populate the street outside St. Vibiana's, which is surrounded by a wrought-iron fence. St. Vibiana's is within walking distance, but a world away, from majestic City Hall and the bustling Los Angeles County Hall of Administration.

The location of the home of Los Angeles Archbishop Roger Mahony — surrounded by poverty and despair but accessible to the City of Angels' corridors of power — nicely, if coincidentally, reflects the prominent position Mahony has staked out on Los Angeles' social and political landscape.

Since being installed as archbishop of the Los Angeles Archdiocese in September 1985, the 52-year-old Mahony emerged as the city's most prominent champion of the poor, of undocumented aliens, and of social justice for those who cannot defend themselves. At the same time, Mahony has clearly moved easily among the city's power elite, forging relationships with prominent local business people, government officials and leaders of non-Catholic religions. And he has done so by blending social activism with strict adherence to church doctrine as handed down from the Vatican.

When he was installed as archbishop, Mahony served clear notice about the kind of ministry he was bringing to Los Angeles. Speaking to an audience at St. Vibiana's that included many of the city's most powerful business and government leaders, Mahony said: "You can drive from the center of our city to Long Beach and never see Watts or our Black brothers and sisters still struggling to be accorded basic human dignity and opportunity. You can move from downtown toward Riverside and Santa Ana and miss hundreds of thousands of Hispanics, with some 40 percent unemployment in East Los Angeles. You could overlook them quite literally because the very freeway system that joins the worlds of culture and opportunity with the worlds of great hotels and restau-

Ruben Castaneda is a political reporter for the Los Angeles Herald Examiner.

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Photo by Dean Musgrove courtesy of the L.A. Hearld Examiner.

Archbishop Roger Mahony presides over the largest gathering of Latino Catholics in U.S. history — Dodger Stadium, 1986.

rants allows those who use them to drive right over the poor. The poor are unseen beneath us."

It was not the sort of thing Angelenos were accustomed to hearing from the leader of the local archdiocese. Mahony's predecessor, Cardinal Timothy Manning, was well thought of. The church functioned efficiently, though quietly, under Manning. But the church, like Los Angeles itself, had begun to change dramatically in recent years. The sprawling archdiocese includes Los Angeles, Ventura and Santa Barbara counties. Church officials estimate there are more than three million Catholics in the archdiocese and, perhaps more important, more than half of these are Latino. Mahony, a fluent Spanish-speaker, had earned a reputation as a defender of Mexican farm workers when he served as the bishop of Stockton and as chairman of the state Agricultural Labor Relations Board in the mid-1970s. Mahony's sensitivity to Latinos was widely seen by church observers as a key reason for his appointment by Pope John Paul II to the Los Angeles post. He has also brought an overt sense of social responsibility to the church, serving as the point man or as a role player on a number of issues affecting Latinos, the poor, and AIDS victims.

Mahony strongly supported the efforts last year of three church-based organizations and other groups to raise the minimum wage in California from $3.35 an hour to $5.01 an hour. Last September, Mahony gave a boost to the pro-increase forces by announcing at the annual Catholic Labor Conference breakfast that he was raising the minimum wage for all archdiocese employees to $5.01 an hour. He also met privately with Muriel Morse who represented the swing vote on the Industrial Welfare Commission, which sets the minimum wage in California.

"His persuasiveness came from what he had done with respect to the minimum wage in his own archdiocese," Morse said. "He practiced what he preached."

Last December, just before Morse and her colleagues voted on the matter, Mahony convened a breakfast meeting with some 10 high-powered Los Angeles businessmen, to persuade them to support the increase. The archbishop didn't persuade everyone, but he did convince Ken Olson, an executive with Vons Supermarkets, and Paul Workman, a partner in a downtown law firm, to have the businesses they represented support the wage hike.

"Without Mahony, we never would have had the meeting," said the Reverend John Seymour, a Catholic priest and an organizer with the United Neighborhoods Organization, one of the groups spearheading the pro-increase forces. "Mahony was the drawing card." The minimum wage was ultimately boosted to $4.25 an hour.

And in March of this year, the archbishop announced that the archdiocese was opening a home that would care for some 30 dying AIDS patients.

Mahony's actions, dramatic as they have been, actually put him in the mainstream of the current leadership of the U.S. Catholic bishops, who collectively in recent years have issued statements urging economic reform in favor of the poor and supporting nuclear disarmament. Mahony, however, has cut a much more public swath than most of his bishop colleagues.

His activities on the minimum wage issue and AIDS were merely an extension of the long shadow the lanky, 6-foot, 3-inch Mahony has cast over the archdiocese. Soon after his installation as archbishop, Mahony became a hero to many

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Latino Catholics by reversing a decision by church officials to close Cathedral High School, a Catholic school just north of downtown that had educated generations of Latino students.

But it was during a week-and-a-half period in late May and early June of 1986 that Mahony grabbed the attention of Angelenos, Catholic and non-Catholic alike. Suddenly, the quiet, efficient public image of the archdiocese was transformed by a fierce storm of pastoral and social activism.

During that period, Mahony unveiled an ambitious pastoral plan for the estimated two million Latinos in the archdiocese. The plan called for stepped-up evangelization and an effort to win back "lapsed" Catholics. Mahony publicly asked Catholics to picket stores that sold sexually explicit magazines, including *Playboy* and *Penthouse*, and joined other religious leaders in opposing a federal plan to evict illegal aliens from federally-subsidized housing, calling the plan an "evil edict". In an impressive display of his popularity among Latinos, Mahony presided over the largest gathering of Latino Catholics in the history of the United States. Some 50,000 enthusiastic Latinos attended the religious festival at Dodger Stadium, *Celebracion '86. "Rogelio! Rogelio!"* the crowd chanted. Mahony, in turn, told the celebrants he knew many of them had immigrated from other countries.

"Now, Los Angeles is your home, the Catholic Church is your home, and I am your pastor," he declared. During that period, Mahony also asked the Los Angeles County Board of Supervisors, during a public meeting, to increase its general relief payments to the poor. Also during this time, Mahony publicly chastized Supervisor Mike Antonovich, then a candidate for the U. S. Senate Republican nomination, for his television ad that appeared to link illegal Mexican immigration with drug smuggling and terrorism.

Mahony's high public profile has not been lost on politicians and other government officials. Last November, Mahony and Harold Ezell, western regional commissioner of the U.S. Immigration and Naturalization Service, reached an agreement in which 24 children and youths from Central America who were in INS custody were to be released to local families screened by the church. The children and youths, who were abandoned by their parents or were alone when they entered the U.S., were to stay with church-screened families until relatives, legal guardians or adoptive parents were found. Church sources said that INS officials insisted that as part of the bargain, Mahony appear at a press conference with Ezell. Mahony made an appearance, and the children were released in time for Thanksgiving. When former state Assemblyman Richard Alatorre won election to the Los Angeles City Council in 1985 and became the first Latino on the council in 25 years, Alatorre asked Mahony to swear him in. That time, Mahony declined.

Mahony said in an interview that his high public profile and social activism are natural functions of a pastor, and are linked to biblical scripture. But while he spoke of the prophetic and moral responsibility of his office, he made it clear that responsibility ends where partisan politics begin.

"It's very difficult to separate one's life into what is the religious compartment, the social compartment, the recreational compartment," Mahony said. The Bible, he said, described not only Jesus' prayer life and preaching but his "willingness to reach out to everybody and touch the lives of all people, to help broaden people's horizons and give them a concern for each other. In doing that, he unfortunately stepped on a lot of people's toes.

"In most cases, we are comfortable when we can say, 'that's none of my business,'" he said. "We have all these AIDS patients, or all these undocumented people, discrimination, youth gangs. Whatever problem there is in society, if it doesn't touch us in some way, then we're not fully human. I see all of these issues as helping to call our people individually to a deeper life of faith and to allow that faith to really reach out beyond them into a concern for each other. When Jesus describes the last judgment, he only describes it in one frame of reference — I was hungry and you either fed me or didn't. I was thirsty and you gave me drink or didn't. I was naked and you clothed me or didn't. I was sick and you visited me or didn't. That's the frame of reference Jesus gives us. It's the only place in the gospels where he talks about the standard against which we're to be judged. And I think that's a pretty good standard to stay with. It's the one thing I'm concerned with in my life. Christ himself has laid that out for us."

At the same time, Mahony said he must be careful not to be put in a position in which he is perceived as being aligned with a particular politician or political group. A number of Los Angeles political observers believe that if any one person could mobilize and unite the city's Latinos politically, it might be Mahony, given his popularity among Latinos and the fact that he represents the church — the one institution in the United States that most Latin American immigrants trust.

When Larry Gonzalez, then a school-board member, ran against then-Assemblywoman Gloria Molina in 1986 for a seat on the Los Angeles City Council, members of the Gonzalez camp joked — half seriously — that if they could get Mahony's endorsement, their candidate would have a lock on the election.

As intriguing as the possibilities may be, his role is limited, Mahony said. "My involvement with any group in the archdiocese would be to get them to participate in the political process, not to say vote for so-and-so, but to encourage people to take an active role. We have such a large Hispanic population, but no Hispanic on the [Los Angeles County] board of supervisors. And until Richard Alatorre was elected we had no city council representative who was Hispanic. It absolutely amazed me, with the enormous Hispanic population [in the Los Angeles area]. I would hope that the Hispanic population, like any group, would work to join and be part of the political process. But I don't see myself as part of that, other than encouraging people."

Of course, Mahony's outspokenness and activism has its price. His stances have prompted grumbling from both political sides of the church. Liberal priests and nuns were disappointed when Mahony did not publicly support the sanctuary movement that gives shelter to Central American refugees. Instead, Mahony said the church should help all immigrants without regard to their country of origin or political status, but did not interfere with those Catholic clergy involved in sanctuary. Conversely, Mahony's flurry of activity in mid-1986 prompted a number of letters to Los Angeles newspapers from more conservative Catholics who believed Mahony was overstepping his bounds in speaking out for undocumented immigrants and who believed the archbishop was devoting a disproportionate amount of time to Latino Catholics.

Larry Berg, director of USC's Institute of Politics and a long-time observer of Mahony, noted that the archbishop must serve a stunningly diverse constituency, one that includes not only poor immigrants from Latin America and Asia but established, politically conservative Anglo-Catholics in affluent suburban communities as well. "It's a fine line to walk," Berg said.

But the indications are that the dissatisfaction with Mahony is not widespread. Indeed, Mahony has made important inroads with wealthy, conservative, well-connected

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Catholics — people who have been key financial supporters of the archdiocese over the years and who have helped the church with their talents and connections. When Mahony took over as Los Angeles archbishop, he neglected this part of the archdiocese "a little bit," said attorney Richard Riordan, vice president of the Los Angeles Coliseum Commission, president of the city Recreation and Parks Commission and one of the most influential Catholics in Los Angeles. Now, however, Riordan — who is a conservative Republican — could hardly be happier with the direction Mahony is taking the church.

"I'm unbelievably pleased with the way the church is going," Riordan said. "His goals are liberal, but his means are conservative. Mahony's a contradiction in that he's extremely conservative on Catholic dogma, but liberal on social issues." Riordan is pleased that Mahony is utilizing the talents and ideas not only of poor and working-class Latinos and Blacks, but of people like himself, Phil Hawley of Carter, Hawley, Hale, and Guy Wilson of the heavyweight accounting firm of Ernst & Whinney. Riordan, Hawley and Wilson serve on the archdiocese finance council, an influential advisory group.

Aside from issues of ideology, some church members and workers have been critical at times of what they say is Mahony's tendency to "rule by press conference;" that is, to make bold pronouncements on programs before the details are implemented. For example, informed sources said that soon after the 1986 Immigration Reform and Control Act became law and offered undocumented aliens a chance for amnesty, Mahony announced that the church's social-service branch, Catholic Charities, would open 18 legalization centers in the archdiocese to help immigrants — without first telling his staff what he had in mind.

"He makes these big pronouncements at press conferences and sort of rules by that, because the staff has to implement that," said one source, who requested anonymity. "You grab the headlines initially, but when the tire hits the road, that's hard work."

For a number of reasons, including bad planning, computer problems and overly optimistic projections of how many immigrants would seek help from the church, Catholic Charities in Los Angeles closed 12 of its 18 legalization centers in the fall of 1987, about halfway into the year-long amnesty program.

However, Thomas Shepherd, a lay leader at St. Martin of Tours parish in upscale Brentwood and a partner in a major downtown accounting firm, defended Mahony's tendency to announce-now, plan-details-later, saying that's simply a "CEO's prerogative."

"He's somewhat like a CEO of a huge corporation. There are times when you're not going to communicate with the people below you as well as you might," Shepherd said. "In a large organization, you can't always wait for everything to come together before getting the publicity you need. That's the real world. In a large organization, there are times when it becomes important to hit the press. If I (as a CEO) do something today and the board of directors learns about it a week later, they may not like it, but someone has to run the show."

Mahony agreed with Shepherd, saying that, on the immigration law issue, he had to strike quickly and decisively in the press. "Unfortunately, a lot of these things happen without the lead time you would like to have," Mahony said. On the immigration program, you have to remember that everybody had written off the legislation — everybody — and it was at the last minute that it passed the House of Representatives

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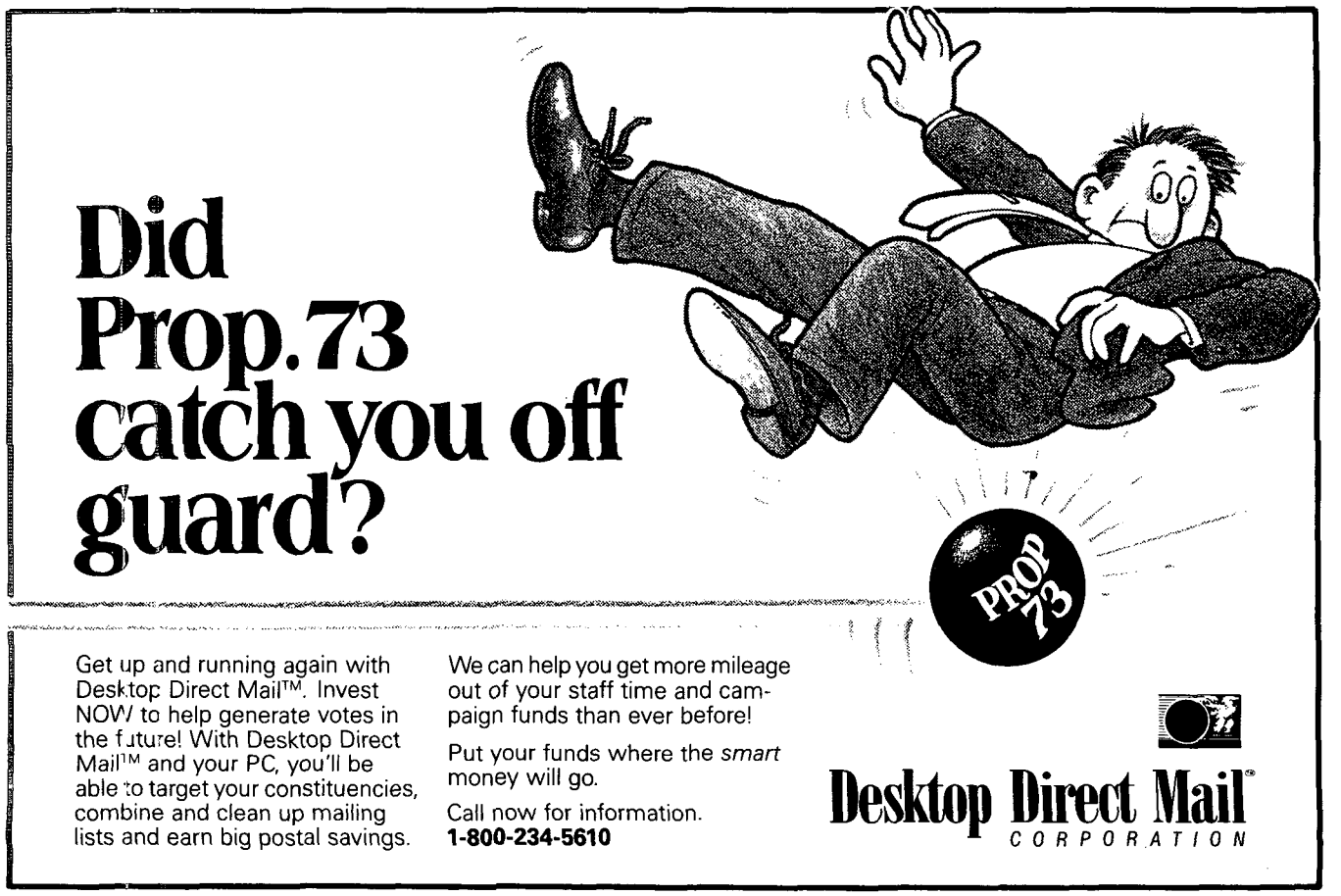
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by seven votes. I just felt it was such a significant opportunity for our people, we had to deal with it. Even not knowing all the consequences, I just had to say, 'We're going to do the best we can. Ready or not, here we go.'"

The archbishop was also criticized by some clergy and immigrants'-rights activists for not fighting for changes to liberalize the immigration law's amnesty provision — something that most observers said would be extremely difficult, given the reluctance of most members of Congress to touch the issue. Mahony has emphasized the potential good the amnesty provision could do. "On legalization, I thought it was very important for the Catholic Church, especially for the Hispanic community, to say, 'this is important, this is a window of opportunity for hundreds of thousands of people, and ... you should take advantage of it.'"

Mahony was born in Hollywood and raised in a heavily Latino neighborhood in North Hollywood, where he learned to speak Spanish. He attended St. John's Seminary College in Camarillo and Catholic University of America in Washington, D.C., prior to being ordained in 1962. Before being named archbishop of Los Angeles, Mahony served in a number of assignments, including assigned ordinations as bishop of Fresno and also bishop of Stockton — two dioceses in which Mahony earned a reputation as a defender of migrant Mexican workers. This led to his being appointed the first chairman of the state ALRB by then-Governor Jerry Brown. Mahony, for all his authority, is a disarming, unpretentious man. In public settings, he makes a point of meeting with as many people as possible, whether at a pot-luck, post-mass lunch or a pre-dinner reception at a fancy downtown hotel.

Mahony has also displayed a keen sense of humor. At one gathering with alumni of Cathedral High School, he told a story in which he asked a member of the Christian Brothers, a group which runs many parochial schools, how the organization got into the wine business. "He said, 'After you teach high school boys all day,'" Mahony related, "'you don't grow marigolds.'"

Mahony is also politically savvy. When Los Angeles' Jewish leaders were outraged last summer by the audience the Pope granted to Austrian President Kurt Waldheim, who is accused by many of having committed Nazi atrocities during World War II, Mahony took the initiative of meeting with some 20 influential rabbis at a West Los Angeles synagogue.

"Certainly, what he did helped ensure there was no lasting damage to Catholic-Jewish relations in Los Angeles," said Rabbi Alfred Wolf, rabbi *emeritus* of Wilshire Boulevard Temple. Mahony's conciliatory action — he conveyed the rabbis' concerns to Rome — also ensured that Jewish participation in an inter-religious dialogue with the Pope when John Paul visited Los Angeles last September.

And when a national furor erupted last December over a recommendation by the administrative board of the U.S. Catholic Conference that the teaching of "safe sex" practices — including the use of condoms — was permissible in Catholic-sponsored institutions and programs, Mahony found a compromise that ameliorated both sides of the dispute. Some conservative bishops were outraged by the recommendation, saying it promoted the use of prophylactics, which the church does not condone. Public health officials, who say condoms can be an effective method of controlling the spread of the deadly AIDS virus, were dismayed that some bishops, including John O'Connor of New York, refused to adopt the recommendation. Mahony's solution: Catholic health-care workers and educators could present information on the use of condoms in preventing spread of the AIDS virus, so long as such information was accompanied by a "moral analysis" including Catholic moral teachings.

At the same time, Mahony has not staked his prestige on battles that probably couldn't be won. For example, when the Los Angeles School Board was considering establishing health clinics at four area high schools, clinics which would dispense information on planned parenthood and prophylactics, Mahony protested — by sending an underling to read a letter. Mahony made other public statements against the plan, but did not stake his prestige on the issue, one which most observers said he would have lost in any case.

Mahony has "prophetic zeal tempered with pragmatism," said Larry McNeil, California director of the Industrial Areas Foundation, the umbrella group to which three church-based groups (United Neighborhoods Organization, South Central Organizing Committee and East Valley Organization) belong. "You've got to have both. You can't just lead with your heart. He's pragmatic. He's not a Don Quixote tilting at every windmill that comes along."

Mahony and other church leaders have a lot of work ahead of them. Church leaders are implementing the 1986 convocation, a process initiated by Mahony in which parishioners throughout the archdiocese voted on what the church's priorities should be and elected delegates from each parish to formulate a plan to address those priorities. The convocation was widely seen as giving parishioners a greater say in the direction of the church. And there are still the issues of absorbing the large number of immigrants into the church and relations between Mahony and religious women — a source of some tension since Mahony took over the archdiocese.

Riordan and others think Los Angeles' activist archbishop is going to do a lot more before he's through. "I think he's just getting started," Riordan said.

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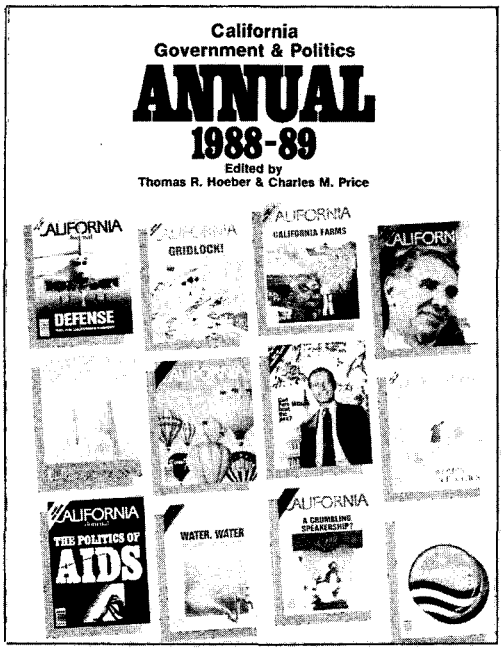

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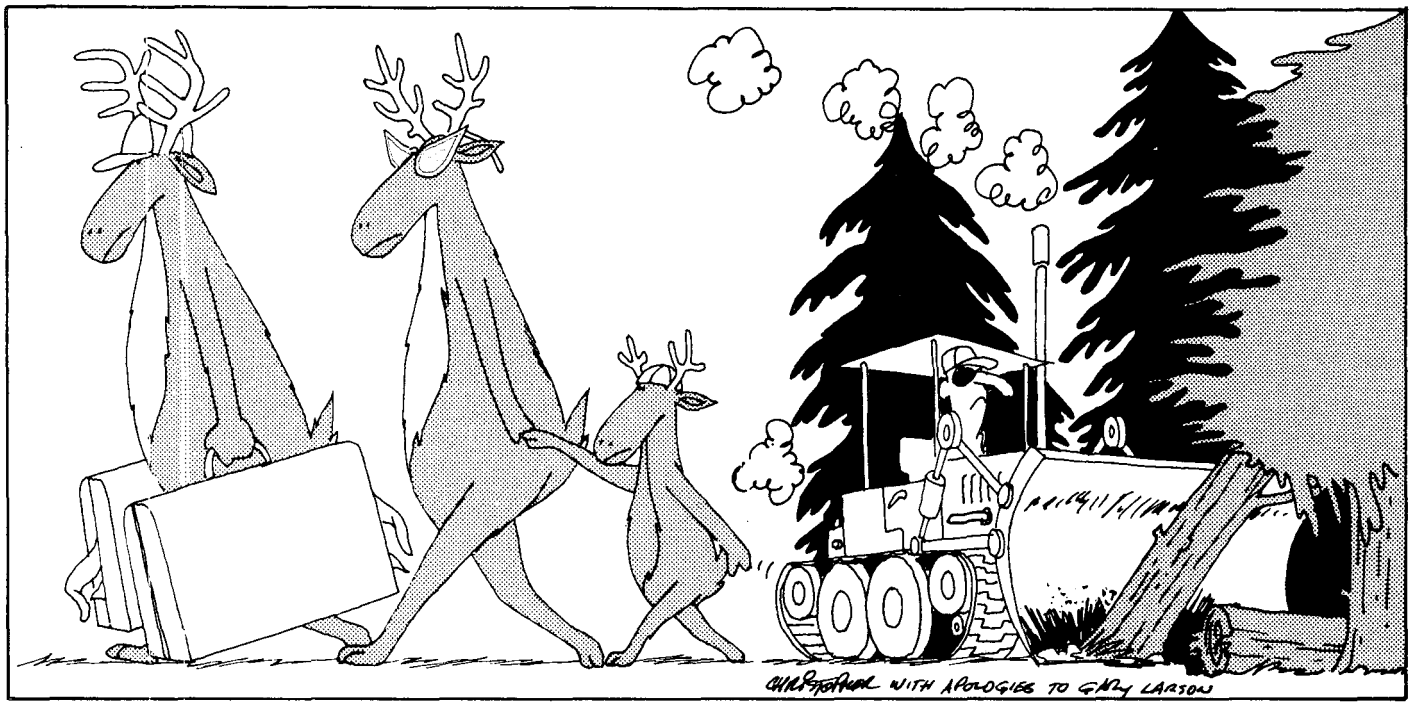

TIMBER WARS

Can a virgin forest resist Wall Street?

By Tom Abate

In the North Coast counties of California, where trees outnumber people, a boom-bust cycle rules the timber economy and timber politics are king. So when Charles Hurwitz's Maxxam Corporation took over Pacific Lumber Company three years ago and doubled it's harvest of thousand-year-old redwoods to finance the buy-out, the environmentalists began to howl.

"It was like a red flag," said Gail Lucas of the Sierra Club. "Pacific Lumber was about the only company that was a good forest manager."

Ukiah attorney Jared Carter normally represents Pacific Lumber, but he took a minute to play devil's advocate: "You had the hostile takeover of a timber company by an outside investor who clear-cut virgin growth timber. Those are powerful words."

Words Senate Majority Leader Barry Keene found hard to ignore since his district includes the redwood counties of Del Norte, Humboldt and Mendocino. Last April he introduced SB 1641 to stop the leveraged buy-out and cutting of timber and to promote instead a practice called "sustained yield;" that is, planting one tree for each tree cut down. Unveiling SB 1641, Keene used some strong words of his own. "The cedars of Lebanon are gone ... (but) the New York junk bond market needs to learn that the redwoods of California are here to stay."

That was last year. This year Keene has lost much of his thunder. SB 1641 wasn't doing too well either. Watered down to pass the Senate, it was abandoned by environmentalists. In June, Keene weakened it further to pass the Assembly Natural Resources Committee on a 7-to-5 vote. Now all that's left of SB 1641 is a provision allowing the Department of Fish and Game and local water-quality boards to contest timber-harvest plans. SB 1641 currently rests in the Assembly Ways and Means Committee, which must decide whether to kill it or send it to a floor vote this month. Meanwhile, Pacific Lumber was persuaded to stop some of the practices that most rankled environmentalists — the clear-cutting of thousand-year-old trees. But other clear-cutting continues while the Deukmejian administration seems schizophrenic on the issue, trying to strike a balance between protecting the environment and managing a valuable resource.

"The question we're grappling with now," Keene said, "is what can we get out of the Legislature." While he tries to negotiate a bill through the tangle of issues (see box, page 358), environmentalists and loggers skirmish in the courts, slug it

Tom Abate is a freelance writer from Bayside, California.

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out on county ballot initiatives, and yell at one other in sidewalk demonstrations.

What's going on? Environmentalists see it as the sequel to events of 15 years ago. Had it been a movie, they would have called it "Timber Wars." The plot went like this: Republican governor, played by Ronald Reagan, faces hostile Democratic Legislature; supporting cast of thousands plays Californians galloping to save the redwoods. The first "Timber Wars" ended in 1973 with the enactment of the Z'berg-Nejedly Forest Practices Act — the nation's toughest tree-cutting rules. But Z'berg-Nejedly contained some rankling compromises. So when Charles Hurwitz rode into California in 1985 on his horse, Corporate Raider, environmentalists saw a cue to start filming the sequel, with Governor George Deukmejian assuming the role pioneered by now-President Reagan.

"It's not like we're holding up a false banner," said Sierra Club lobbyist Paula Carrell, who called Pacific Lumber's accelerated cutting of redwoods an "indication" of how timber companies are leveling California's forests. The Sierra Club wants to overhaul Z'berg-Nejedly to limit clear-cutting, better protect streams from soil erosion and improve overall enforcement.

"It will probably take us three years to get something through the Legislature," Carrell said. "You have to have the outcry from large urban areas where most of the legislators come from." Saving redwoods offers a rallying cry. "People have a special relationship to old-growth trees," she said. "They evoke a love and a passion."

Matt Anderson represents the California Forest Protective Association, an industry lobby resisting changes to Z'berg-Nejedly. "The resource is already over-regulated," he said, maintaining that timber companies are getting better at protecting "other forest values, like fish habitats." As for sustained yield, Anderson said the industry practices it without government intervention because it makes economic sense.

"But the social and political climate of California is such," he said, "that there seems to be a need for a tremendous amount of government involvement in private activities." He called the Maxxam takeover "a cause celebre" and "an excuse to get out there and get involved in all this stuff."

Cause celebre or noble cause, the dispute is charged with emotion. The heart of the controversy concerns the difference between two innocent-sounding acronyms. The THP, or timber-harvest plan, is a simple description of which trees a timber company intends to cut. An EIR, or environmental-impact report, is a costly, comprehensive look at the impacts of logging. The THP presumes that logging will occur even if some environmental damage results. The EIR reverses this priority; protecting the forest comes before the production of timber.

In 1975, just after Z'berg-Nejedly took effect, a state court ruled that EIRs had to be done on proposed timber harvests. Throughout California, chain saws sputtered to a halt. A frantic timber industry, with some environmental support, pressured new Governor Jerry Brown to issue an executive order declaring the THP "functionally equivalent" to an EIR.

Ever since, environmentalists have been trying to upgrade the THP to make it the equivalent of an EIR. In 1985 California courts took a step in that direction by ruling that THPs must consider the "cumulative impacts" of logging on the wildlife habitats.

What are "cumulative impacts?" That question plagues Jerry Partain. As director of forestry for the Deukmejian administration, Partain reviews and approves THPs. Environmental groups, upset by his interpretation of the cumulative impacts ruling, have filed numerous lawsuits to overturn THPs he has approved. Partain dismisses these "somewhat frivolous lawsuits" and maintains that he's rejected more THPs on environmental grounds than his predecessor. The

Logging issues

Old-growth: Redwood forests once covered 1.9 million acres in California. Save the Redwoods League says 76,000 acres of old-growth redwoods are now preserved in parks. According to the Department of Forestry, commercial logging occurs on another 140,000 acres of residual (partially cut) old-growth. Most of this acreage is found in Humboldt County, with Pacific Lumber owning the lion's share. Pacific Lumber says 10,000 acres of its holdings are virgin forest; other private owners hold an equal amount. This 20,000 acres of primeval redwood is the focus of concern.

Clear-cutting: In 1986, 24,000 acres were clearcut in California. Almost all the clearcutting — removing all the trees on a given patch of ground — took place in Trinity, Del Norte, Humboldt, and Mendocino counties. In June, Mendocino voters rejected a ballot measure to limit clear-cutting. Stymied at the ballot box — environmentalists say they were outspent 18-to-1 — clear-cutting opponents have challenged timber plans in court. Meanwhile, a five-year joint state and federal study is under way to examine the effects of clear-cutting on hillsides.

Sustained yield: Will California have enough trees to harvest in the future? The timber industry says the state is growing 32 percent more trees than it cuts. Misleading, say opposition tree-counters, because industry includes saplings that can't be harvested for 40 years. Ironically, Pacific Lumber, which sparked the furor by doubling its redwood harvest, may be the only North Coast timber company able to practice sustained yield. So says Kass Green of Hammon, Jensen, Wallen & Associates, a forestry consulting firm which also works for environmental groups. Green, who surveyed Pacific Lumber's timber holdings after the takeover, says the company can double its cut for 20 years, then return "to pre-merger harvest levels in perpetuity."

Forest vs. tree plantation: The two sides differ philosophically. Industry sees trees as a crop and clear-cutting as a "silvacultural tool." Companies want to practice "even-age management;" cut one stand of trees, plant fast-growing hybrids, harvest them in 40 years, then start again. Environmentalists call this "monoculture," and say it requires pesticide use and causes soil erosion. They favor "all-age management," selective tree-cutting and replanting that leaves the forest intact. But they offer no estimates of how this would affect the price of lumber.

Jobs: Old-growth trees are thicker. Milling them into lumber creates more jobs. New-growth trees, harvested young and thin, are being ground up, like chopped meat, into particle board products. Industry says particle wood is cheaper and stronger. But unions say the new process replaces labor, and that has workers worried.

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courts have backed him up, in some cases throwing out lawsuits with strong words for the petitioners.

"We do a better job of protecting forest sites now than the last administration," he said. "At some point, people have

Partain

Keene

to accept that trees will be harvested. Hell, we're supposed to be approving timber-harvest plans."

One of Partain's most effective critics is Cecelia Gregori, president of the Environmental Protection Information Center (EPIC), based in Garberville. It was EPIC which won the cumulative-impacts ruling. Though the group suffered a setback in its most recent lawsuit, EPIC continues to contest Partain's approval of old-growth timber harvests.

"We're destroying a habitat that we don't even understand," she said. "Someone has to speak out for the birds and the animals in that forest." She wants old-growth logging halted while an EIR is done and hopes to preserve much of the remaining forest. "The lumber companies didn't grow those old trees," Gregori said. "They're mining them."

Talk like that makes Dave Galitz of Pacific Lumber nervous. "You have so much gosh-darned land tied up in parks already," he says, some of it donated by his company. To halt logging for an EIR, he said, would throw 500 people out of work. The bottom line, said Galitz: "These are our trees. We have a right to cut them."

Pacific Lumber's attorney, Jared Carter, sounds eager to argue that point in court. He cited a recent California Supreme Court opinion that excessive zoning restrictions can constitute an unfair "taking" by government. "When you've got a privately-owned property," Carter said, "which is zoned for producing trees and nothing else, and you tell a guy he can't cut his trees, I think you've bought 'em."

The Deukmejian administration would apparently like to steer the old-growth issue to the Supreme Court. In one EPIC lawsuit, a Fish and Game inspector testified that the Department of Forestry silenced his environmental objections to a THP. Undersecretary of Resources Terry Eagan, who oversees both departments, has not tried to end this interdepartmental rift. "I have chatted with both directors," Eagan said, "but I am reluctant to issue an order" because of the "inherent conflict" between their respective mandates of protecting wildlife and harvesting trees. "I'm not sure this can be resolved short of the court," he said.

The departments of Forestry and Fish and Game tried to resolve the conflict with a compromise in the form of a checklist to determine which wildlife species might be adversely affected by timber harvesting. And in fact, Partain disapproved two Pacific Lumber timber plans because they failed to supply information for the checklist.

Environmentalists were guardedly cheered by the compromise, but their optimism was short-lived. The state Board of Forestry, whose members are appointed by the governor, overruled Partain because it said there was not enough evidence to support claims that harvesting harmed any wildlife. Not surprisingly, environmentalists were outraged by the ruling. They openly wondered how anyone was supposed to know if wildlife was harmed if lumber companies wouldn't submit any information on the subject. The forestry board's ruling squashed the departmental compromise and put the administration once again on hold.

While the administration waits for the courts to end the friction over old-growth, Assembly Democrats managed to take the brakes off one piece of environmental legislation. After being stalled for a year, Senator Dan McCorquodale's SB 1335 cleared Assembly Natural Resources on a 10-to-1 vote in June. The bill would let Fish and Game and Water Quality Board personnel inspect logging sites. McCorquodale aide Mark Hite said he expects the bill, the result of a compromise between fishing and logging interests, to pass the Assembly and reach the governor's desk in August.

Assemblyman Dan Hauser, who represents the same timber region as Keene, also won a small victory in June. Hauser, who says, "the real gains are made in quiet lobbying," persuaded Pacific Lumber to stop clear-cutting old-growth. For now, Pacific Lumber will leave some trees standing when it cuts virgin groves. As part of the deal, Assemblyman Byron Sher withdrew AB 3601, which would have outlawed old-growth clear-cuts. Pacific Lumber spokesman Galitz said, "Candidly, we've been under tremendous public pressure."

But environmentalists remain suspicious of Hauser who last year accepted a $250-a-plate Pacific Lumber fund raiser. Galitz said the dinner was not unusual, that he and Hauser have been neighbors for 20 years. "We've been doing shindigs for Dan way before this Maxxam stuff came along," he said.

Earth First! activist Greg King, who achieved notoriety by chaining himself to a redwood tree, will run against Hauser in November on the Peace and Freedom ticket. King said, "Dan has, in the last year or two, taken quite a turn against the forests of the state." Hauser denied a tilt toward industry. "At this stage I can point to my record," he said, such as his 91 percent environmental rating from the Planning and Conservation League.

As public attention — and emotion — remains focused on redwoods, Keene continues to warn that tree shortage in the year 2000 could send North Coast timber economies into a tailspin. His fear is supported by Dr. Henry Vaux, a respected California forester. "There appears to be little possibility" of avoiding a shortage of harvestable trees in 20 years, Vaux said, because they "would have to be already in the ground."

But with the possible crisis still eight elections away, Keene cannot find a constituency for sustained-yield legislation. "Industry doesn't want to admit a problem exists," he says. "Environmentalists see the big trees being cut down and think that's the problem ... But the larger problem is the decimation of the forest by Wall Street economics." Put simply, it's profitable to cut trees, but it costs money to plant them.

On the same day Assembly Natural Resources approved the anemic SB 1641, it rejected Keene's SB 2550 — a tougher proposal to stop accelerated logging from financing corporate takeovers. "We've got to find a way to stop this timber roller-coaster," Keene said, while admitting, "It may be too complicated a piece of legislation to make happen."

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ROLL CALL

SAFETY HELMETS
AB 36 (Floyd) Would require all motorcycle drivers and passengers, regardless of age, to wear safety helmets. Passed the Senate May 19th, 23-12. Passed the Assembly May 31st, 45-25. Vetoed.
1988-89 BUDGET
AB 224 (Vasconcellos) $44 billion budget for the 1988-89 fiscal year from which Governor Deukmejian has cut $471 million. Passed the Assembly June 30th, 58-20. Passed the Senate June 30th, 34-2. Chaptered.
CLEAN AIR
AB 2595 (Sher) Would require smog-control districts not meeting federal clean-air standards to reduce smog emissions by 5 percent a year. Passed the Assembly June 25th, 42-32. In Senate Committee on Appropriations.
PRESIDENTIAL PRIMARY
AB 2815 (Johnson) Would advance the date of California's presidential primary election from early June to late February. Passed the Assembly on June 23rd, 47-21. In Senate Committee on Elections.
INSURANCE: AIDS TESTING
AB 2900 (Johnston) Would allow health care and life insurers to require AIDS tests as proof of applicant insurability. Passed the Assembly June 27th, 63-10. In Senate Committee on Rules.
SURROGATE MOTHERS
AB 3200 (Mojonnier) Would prohibit surrogate parenting by nullifying any contract to bear a child that would transfer parental rights from the biological mother to others. Passed the Assembly May 23rd, 43-24. In Senate Committee on Judiciary.
TOY GUNS
SB 1795 (Roberti) Would ban the in-state manufacture and sale of most toy guns that are replicas of real firearms. Would also increase penalties to anyone using such guns in a threatening manner. Passed the Senate June 2nd, 21-13. In Assembly Committee on Ways and Means.
SEX EDUCATION
SB 2394 (Russell) Would require all public school sex education teachers to stress abstinence as the only completely effective protection against pregnancy and sexually transmitted diseases. Passed the Senate May 12th, 27-4. In Assembly second reading file.
AIDS EDUCATION
SB 2840 (Hart) Would mandate AIDS prevention education for public school students in grades 7-12 and require an emphasis on abstinence from sex and drug use. Passed the Senate June 6th, 28-3. In Assembly Ways and Means Committee.
CONCEALED GUNS
SB 2868 (Presley) Would establish specific criteria for the issuance of concealed-weapons permits by police chiefs and county sheriffs. Would require authorities to issue permits to any person meeting these criteria. Passed the Senate June 2nd, 28-1. In Assembly Committee on Public Safety.

SENATE

Democrats	AB 36	AB 224	SB 1795	SB 2394	SB 2840	SB 2868
Alquist	Y	Y	Y	N	Y	•
Ayala	Y	Y	Y	Y	Y	Y
Boatwright	•	Y	Y	Y	•	•
Deddeh	N	Y	Y	Y	•	Y
Dills	Y	Y	Y	N	Y	Y
Garamendi	Y	Y	•	Y	Y	•
C. Green	•	Y	•	Y	Y	Y
B. Greene	Y	•	Y	•	Y	Y
L. Greene	Y	Y	Y	Y	Y	Y
Hart	Y	N	Y	•	Y	Y
Keene	N	Y	Y	•	Y	•
Lockyer	N	Y	N	Y	Y	Y
Marks	Y	Y	Y	•	Y	Y
McCorquodale	Y	Y	Y	•	Y	Y
Mello	Y	Y	Y	Y	Y	Y
Montoya	Y	Y	Y	Y	•	Y
Petris	Y	Y	Y	Y	•	Y
Presley	Y	Y	Y	Y	Y	Y
Robbins	•	•	Y	•	•	•
Roberti	Y	Y	Y	Y	Y	Y
Rosenthal	Y	Y	Y	N	Y	Y
Torres	Y	Y	Y	Y	Y	Y
Vuich	Y	Y	Y	Y	Y	Y
Watson	Y	Y	Y	N	•	N

Republicans	AB 36	AB 224	SB 1795	SB 2394	SB 2840	SB 2868
Bergeson	Y	Y	N	Y	Y	Y
Beverly	N	Y	N	Y	Y	Y
W. Campbell	•	Y	N	Y	•	Y
Craven	Y	•	•	Y	Y	•
Davis	N	Y	N	Y	Y	Y
Doolittle	N	Y	N	Y	N	•
Ellis	N	Y	N	Y	N	•
Maddy	N	Y	N	Y	•	•
Morgan	Y	Y	•	•	Y	Y
Nielsen	N	N	•	•	Y	Y
Richardson	•	•	N	•	•	•
Rogers	N	Y	N	Y	N	Y
Royce	N	Y	•	Y	Y	•
Russell	N	Y	N	Y	Y	Y
Seymour	Y	Y	N	Y	Y	Y

Independent

Kopp	Y	Y	N	Y	Y	Y

ASSEMBLY

Democrats	AB 36	AB 224	AB 2595	AB 2815	AB 2900	AB 3200
Areias	Y	N	•	N	Y	•
Bane	Y	N	Y	Y	Y	•
Bates	Y	N	Y	•	•	•
Bronzan	Y	N	Y	•	Y	•
W. Brown	•	Y	Y	Y	Y	•
Calderon	N	N	Y	N	Y	Y
R. Campbell	Y	N	Y	Y	N	N
Chacon	Y	Y	Y	Y	Y	Y
Clute	N	Y	Y	•	Y	Y
Condit	•	N	Y	Y	N	Y
Connelly	Y	Y	Y	Y	Y	N
Cortese	Y	Y	Y	Y	Y	Y
Costa	Y	N	Y	Y	Y	Y
Eastin	Y	Y	Y	N	Y	N
Eaves	Y	N	Y	Y	Y	Y
Elder	Y	N	•	N	Y	•
Farr	Y	N	Y	N	Y	Y
Floyd	Y	Y	Y	N	Y	N
Friedman	Y	Y	Y	N	N	N
Hannigan	Y	Y	Y	Y	Y	Y
Harris	Y	N	Y	N	Y	N
Hauser	Y	N	Y	Y	Y	N
Hayden	Y	Y	Y	•	Y	•
Hughes	Y	Y	Y	Y	Y	•
Isenberg	Y	Y	Y	N	Y	N
Johnston	Y	Y	Y	N	Y	•
Katz	Y	Y	Y	Y	Y	N
Killea	Y	Y	Y	Y	Y	Y
Klehs	Y	Y	Y	•	Y	N
Margolin	Y	Y	Y	N	N	N
Moore	Y	Y	Y	•	•	•
O'Connell	Y	N	Y	N	Y	Y
Peace	•	N	Y	Y	Y	Y
Polanco	Y	N	Y	Y	N	Y
Roos	Y	Y	Y	Y	N	•
Roybal-Allard	Y	Y	Y	N	N	N
Sher	Y	Y	Y	N	Y	N
Speier	Y	Y	Y	Y	Y	N
Tanner	Y	Y	Y	Y	N	Y
Tucker	•	Y	Y	•	•	•
Vasconcellos	Y	Y	•	•	•	•
M. Waters	Y	N	Y	Y	N	Y
N. Waters	N	N	•	Y	Y	Y

Republicans	AB 36	AB 224	AB 2595	AB 2815	AB 2900	AB 3200
Allen	Y	Y	N	Y	Y	Y
Bader	Y	Y	Y	•	Y	N
Baker	N	Y	N	N	Y	Y
Bradley	•	Y	N	Y	Y	Y
D. Brown	N	Y	N	N	•	N
Chandler	N	Y	N	Y	Y	Y
Duplissea	Y	Y	N	Y	Y	•
Felando	•	•	N	•	•	Y
Ferguson	N	Y	N	Y	Y	Y
Filante	Y	Y	N	Y	Y	N
Frazee	Y	Y	N	Y	Y	Y
Frizzelle	N	Y	N	Y	Y	Y
Grisham	N	Y	N	Y	Y	Y
Hansen	N	Y	N	Y	Y	Y
Harvey	N	Y	N	N	Y	Y
Hill	N	Y	N	Y	Y	Y
Johnson	N	Y	N	Y	Y	Y
Jones	N	Y	N	•	Y	Y
Kelley	•	Y	N	Y	Y	Y
LaFollette	N	Y	N	N	Y	N
Lancaster	N	Y	•	Y	Y	Y
Leonard	N	Y	Y	Y	Y	Y
Leslie	Y	Y	N	Y	Y	Y
Lewis	•	Y	N	Y	Y	N
Longshore	•	•	N	•	•	Y
McClintock	N	Y	N	Y	Y	Y
Mojonnier	Y	Y	•	Y	Y	Y
Mountjoy	N	Y	N	N	Y	Y
Nolan	N	Y	N	Y	Y	Y
Quackenbush	Y	Y	N	Y	Y	N
Seastrand	N	Y	N	N	Y	Y
Statham	N	N	N	Y	Y	N
Stirling	N	Y	N	Y	Y	Y
Wright	N	Y	N	Y	Y	N
Wyman	N	Y	N	Y	Y	Y
Zeltner	•	Y	N	Y	Y	Y

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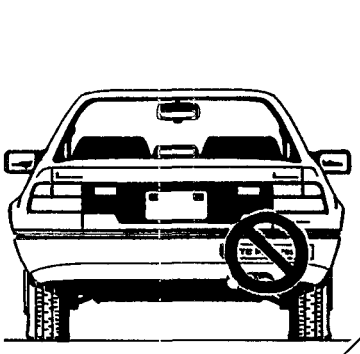

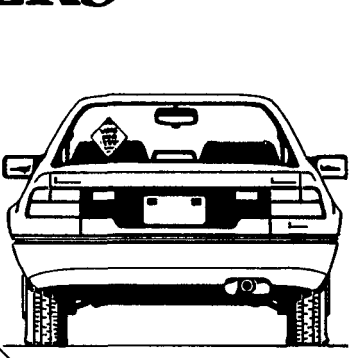

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WASHINGTON PERSPECTIVE

By LARRY LIEBERT

Bush and oil

"You ever fished off an offshore platform?" former oilman and sport fisherman George Bush mused out loud. "You better be prepared for a tremendous fight with those ling; that's the kind of fish you catch there."

IT WAS AN IMPROMPTU ASIDE, a casual reverie in praise of the rich plant and sea life that flourishes around oil rigs. But the comment by Vice President Bush, who once built drilling platforms off the coast of his adopted state of Texas, was at odds with the politically significant message he intended to deliver during an interview aboard Air Force Two back in June.

The Republican presidential candidate was headed to California two days before the state's presidential primary. He had brought me and another California reporter along for hastily arranged interviews. His purpose became clear when his comments in the interviews quickly veered to the long-running debate over oil drilling off the California coast.

"I've concluded it ought to be deferred. Put in the deep freeze until all of these studies are completed," Bush announced, effectively mandating a suspension of the Reagan administration's plans to offer vast tracts off of Northern California for oil and gas leasing.

With Democratic presidential candidate Michael Dukakis already on record against the drilling, Bush's vague but dramatic call for an indefinite delay made it clear that Interior Secretary Donald Hodel's timetable was down the tubes. Hodel's plan had been to hold lease sales next February, weeks after the next president took office, for 1.1 million underwater acres off of Mendocino and Humboldt counties. Southern California drilling would follow. The next day, Hodel announced he was suspending all action on the leases for the next administration to determine.

Political reality had triumphed over the Reagan administration's long, hard effort to build momentum for offshore drilling. California may be crucial in the November election and Bush realized that environmental concerns about offshore drilling in the state cut across party and demographic lines. In California, passionate commitment to protecting the coast is not just a sentiment shared by those hard-core environmentalists who are often dismissed by Republicans as posey-pickers.

Bush's switch on offshore drilling came at the strong urging of Republican Senator Pete Wilson, who is up for re-election and struggles to cultivate an environmentalist image. Bush had initially embraced the pro-drilling stance of Republican Governor George Deukmejian, who had backed Hodel's plans with only minor caveats.

California environmentalists greeted Bush's switch with enthusiasm but considerable skepticism. They say they will keep pushing Bush for a firmer commitment, fearing that as president he would gear up the machinery for offshore leasing as soon as he took office.

Is Bush believable as an environmentalist? Like so much in politics, that may depend on how voters read the character and personality of the candidate.

There is Bush the Texan. Returning from heroic service as a Navy pilot in World War II, Bush and his wife Barbara left the comforts of his cushy upbringing in New England to drive off to Texas in a red Studebaker. In dusty Midland, Texas, Bush started out as an oil drilling supply salesman.

"Remember, he'd come back from the war. He'd been shot down. He told me he wanted to work with something he could put his hands on," recalled Barbara Bush. "I think there was adventure to it."

Perhaps. But Bush was hardly a self-made man in Texas oil. His first Texas job was with a company owned by a family friend, and a well-connected uncle on Wall Street lined up investors for his later ventures. By the age of 30, Bush was president of an offshore oil drilling company in Houston.

Bush, born and bred in New England, had transformed himself into a genuine Texas oil-man. And he has enjoyed financial backing from the state's crucial oil industry throughout a political career that began when he lost a Senate race from the state in 1964, then won a House seat in 1966.

If Bush of Texas seems an unfriendly character to defenders of the California coast, however, they might feel a real kinship with Bush of Maine.

Although the vice president keeps his voting address in politically-powerful Texas, his heart remains in Kennebunkport. Whenever his schedule allows, the Bushes and their children and grandchildren gather at the weather-worn shingled mansion that has been in his family for generations.

Walkers Point commands its own splendid stretch of the Atlantic coastline, where Barbara Bush putters in her garden while George plays on his private tennis court or takes a spin in his speedboat.

Bush calls the place his "anchor to windward." Barbara says it is where "George is at peace. There is something about the ocean."

ALTHOUGH BUSH'S PRIVATE SEASIDE ESTATE may not be in the spirit of coastal access that is required by California law, he insists the place demonstrates his love of the coast and his concern for its protection. Bush talks sometimes of his revulsion "when I see paper cups float by, or an oil slick." And he has vowed that as president he would not let the Secret Service bar the lobster fishermen whose boats have worked the waters off Walkers Point for generations.

"If it became a choice as to whether these lobster fishermen can fish in this bay or whether I could come to this place I love, I would not come," Bush told reporters visiting Walkers Point. "It would break my heart, but it's not going to happen."

Larry Liebert is Washington Bureau Chief of the San Francisco Chronicle.

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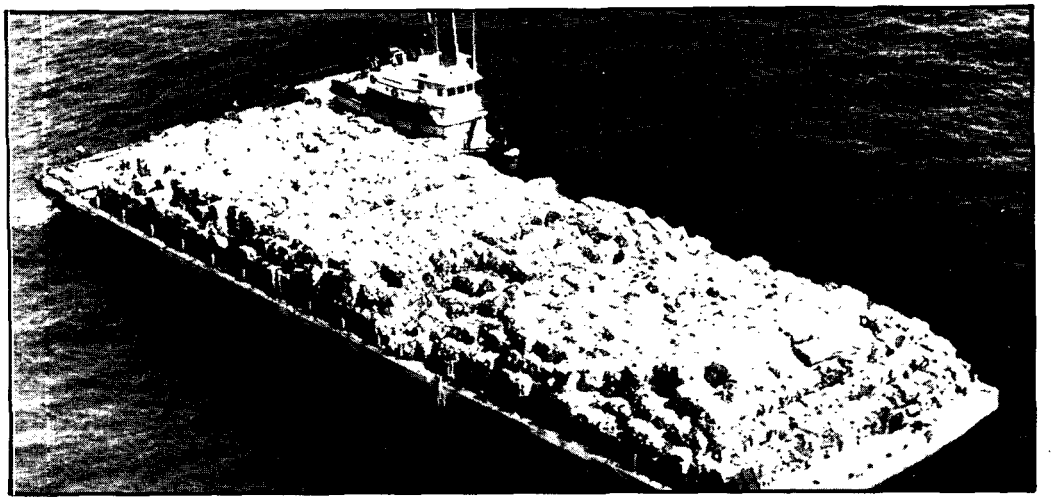

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